THE JOURNAL OF AMERICAN CITIZENSHIP

POLICY REVIEW

Published by
The Heritage
Foundation

May • June 1997

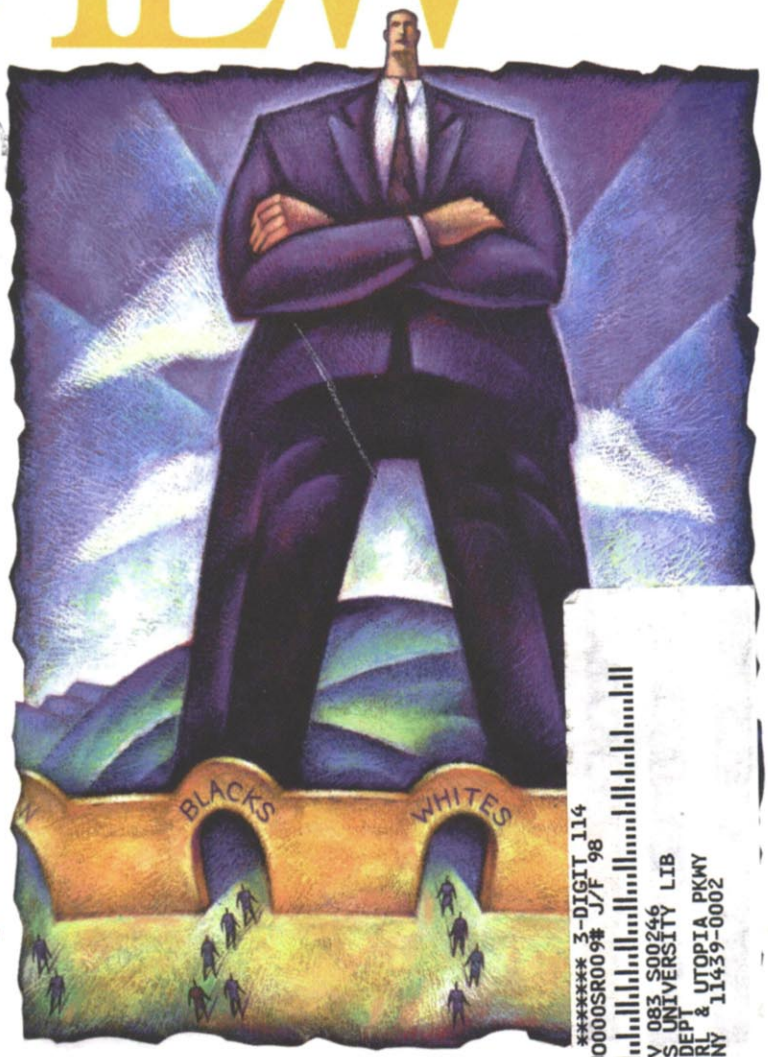
Sex Ed: The Naked Truth
Page 12

THE LIBRARY
APR 25 1997
ST. JOHN'S UNIVERSITY
JAMAICA, NY 11439

The Quota Czars

The ACLU Forsakes Individual Liberties For Racial Preferences

By Jessica Gavora



******** 3-DIGIT 114
#11439SJ0000SR009# J/F 98
L3 PLRV 083 S00246
ST JOHN S UNIVERSITY LIB
SERIALS DEPT
GRND CNTRL & UTOPIA PKWY
JAMAICA NY 11439-0002

Don't Read, Don't Tell
Clinton's Phony War on Illiteracy

The Smart Samaritan
Five Habits of Highly Effective Charities

Texas-Sized Pensions
Mrs. Colehill Thanks God for Privatized Social Security

06>
73361 65831 9
50 U.S. $6.50 Can.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

These can keep you informed. **Only this can keep you inside.**

The balance of power has shifted.

Conservative thought is now dominating the debate on Capitol Hill.

Isn't it time you started reading a magazine with a direct link to this power base?

The Weekly Standard.

The nation's only weekly journal of conservative opinion.

The most quoted, clipped, and talked-about magazine in Washington.

Your ticket inside the leading issues that shape our nation.

Edited by three of the most respected minds in political journalism today.

Bill Kristol, Fred Barnes and John Podhoretz have assembled a first-rate editorial team that includes prominent writers such as Charles Krauthammer, Brit Hume, P.J. O'Rourke, David Brooks, Andy Ferguson, and David Frum.

Quite simply, *The Weekly Standard* is driving the debate on Capitol Hill with analysis that is insightful, provocative, and very influential. Subscribe now and enter the inner circle of national politics.

Special No-Risk Offer: Receive 6 FREE issues!

Call 1-800-711-8383 now

and receive 6 issues of *The Weekly Standard* absolutely free.

If you agree that this magazine is an essential part of your reading list, you'll receive 26 more issues (a total of 32) for four monthly payments of only $9.99 each — a **SAVINGS OF 46%** off the newsstand price. If not, simply write "cancel" on the invoice, return it, and owe nothing. The six free issues are yours to keep.

the weekly **Standard** **JOIN US INSIDE.**

The Weekly Standard is published 50 times annually. Please allow 3-5 weeks for delivery of the first issue. Cover price is $2.95. Rates are good only in the U.S.A.

"*The Standard* is required reading up here. You have to see it to be a part of the conversation"
—John
House B
Committe

"*The Standard* is... a must-read for people in Washington"
—Jack N
The Los Ang

BILL KRIS
Editor and Pu

"The big gorilla of political gurus - the hottest property town today"
—Ton
Former H
Whip a
of the
Cons

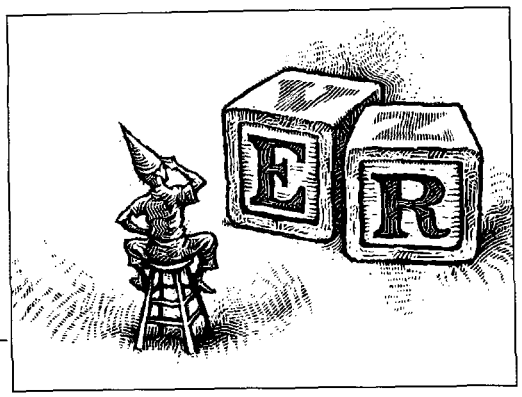
FRED BARNES
Executive Edito

"One of Washington's only first-rate journalists"
— John McLau
Th McLaughlin

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE JOURNAL OF AMERICAN CITIZENSHIP
POLICY REVIEW

May • June 1997
Number 83
Published by
The Heritage Foundation



The phony war on illiteracy

p. 38

Features

22 The Quota Czars
The ACLU forsakes individual rights for racial preferences
BY JESSICA GAVORA

28 Family. Faith. Freedom.
A manifesto for cultural renewal
BY ADAM MEYERSON

38 Don't Read, Don't Tell
Clinton's phony war on illiteracy
BY ROBERT W. SWEET JR.

43 There's No Place Like Home
Adoptions jump as Kansas privatizes foster care
BY WILLIAM D. EGGERS

48 The Smart Samaritan
Five habits of highly effective charities
BY JAMES L. PAYNE

54 Take This Job and Love It
Exposing the lies about low-paying work
BY DANIEL LEVINE

Departments

3 Correspondence

6 Abuses and Usurpations
Michael Lynch: San Francisco's Chinese wall;
Blake Hurst: Why does my daughter face a higher tax rate than Bill Gates?

9 Laboratories of Democracy
Texas-sized pensions: Mrs. Colehill thanks God for privatized Social Security;
A teachers' fight to keep their union dues out of politics

12 Home Front
Kristine Napier: Chastity programs shatter sex-ed myths

16 One Nation Under God
Tough medicine for welfare moms

20 Blessings of Liberty
John Hood on productivity's boost to living standards

58 Town Square
News from the Citizenship Movement

62 We Hold These Truths
Dennis Shea: The case for impeaching rogue judges

64 Profiles in Citizenship
How Frances Kellor turned immigrants into patriots

Cover illustration by Robert Johannsen

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE JOURNAL OF AMERICAN CITIZENSHIP

POLICY REVIEW

May • June 1997 Number 83

Editor Adam Meyerson
Deputy Editor Joe Loconte
Managing Editor D.W. Miller
Editorial Assistant Leslie Gardner
Contributing Editors Jessica Gavora
John Hood
Matthew Spalding

Publisher Edwin J. Feulner Jr.
Associate Publisher Katharine E. Moffett
Publishing Assistant Melissa A. Ranwick

Policy Review (ISSN 0146-5945) is published bimonthly by The Heritage Foundation, 214 Massachusetts Avenue, N.E., Washington, D.C. 20002. Periodicals postage paid at Washington, D.C., and additional mailing offices. The opinions expressed in *Policy Review* do not necessarily reflect the views of The Heritage Foundation.

EDITORIAL CORRESPONDENCE: Address letters to *Policy Review*, The Heritage Foundation, 214 Massachusetts Avenue, N.E., Washington, D.C. 20002-4999. Telephone: 202-546-4400. Fax: 202-608-6136. E-mail: polrev@heritage.org. Internet site: http://www.heritage.org. Send permission requests to the Associate Publisher. Reproduction of editorial or graphic content without permission is prohibited.

SUBSCRIPTION INFORMATION: Contact *Policy Review*, Subscriptions Dept., P.O. Box 638, Mt. Morris, Ill. 61054, or call toll-free 1-800-304-0056. Foreign subscribers call 815-734-5803. For address changes (allow six weeks), provide old and new address, including ZIP codes. POSTMASTER: Send address changes to *Policy Review*, Subscriptions Dept., P.O. Box 638, Mt. Morris, IL 61054. Subscription rates: one year, $27; two years, $54; three years, $81. Add $10 per year for foreign delivery. U.S.A. newsstand distribution by Eastern News, Inc., One Media Way, 12406 Rt. 250, Milan, Ohio 44846-9705. For newsstand inquiries, call 1-800-221-3148. Copyright © 1997 The Heritage Foundation. Printed in the United States of America.

Statement of Purpose

Our mission is to revive the spirit of American citizenship by recovering the core political principles of our Founding Fathers and by articulating and advancing the conservative vision of civil society.

Policy Review: The Journal of American Citizenship illuminates the families, communities, voluntary associations, churches and other religious organizations, business enterprises, public and private schools, and local governments that are solving problems more effectively than large, centralized, bureaucratic government. Our goal is to stimulate the citizenship movement—chronicling its success stories, exposing its obstacles and opportunities, and debating the policies that will best invigorate civil society.

American citizenship combines freedom with responsibility. These are the two great themes of modern conservatism, and they build on the best of the American tradition. Americans come from all races, all nationalities, all religions. Americans are united in citizenship not by common ancestry but by a common commitment to the political principles of the United States: the Constitution, the rule of law, the rights to life, liberty, and the pursuit of happiness.

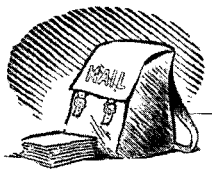
Americans are united, too, by the common duties of citizenship: the obligation to protect our country from foreign enemies, to take care of our own families, to participate actively in civic life, to help our neighbors and communities when they are needy, and, in turn, not to take advantage of others' generosity when we can take care of ourselves.

Policy Review: The Journal of American Citizenship is published by The Heritage Foundation, a research and educational institute that formulates and promotes conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.

"Liberty not only means that the individual has both the opportunity and the burden of choice; it also means that he must bear the consequences of his actions. . . . Liberty and responsibility are inseparable."

—Friedrich Hayek
The Constitution of Liberty

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Correspondence

Imperial Judiciary

To the Editor:

Edwin Meese III and Rhett DeHart make a strong case against the too-frequent cases of legislation by the federal courts ("The Imperial Judiciary—and What Congress Can Do About It," Jan.-Feb. 1997). Their article, however, overlooks the corresponding pattern of constitutional changes by Congress. We need to restore a balance of powers in which the courts enforce the Constitution without making law and Congress makes law without changing the Constitution.

Their suggestion that the Senate use its confirmation authority to block the appointment of activist federal judges misses the point. The issue is not judicial activism but activism toward what end. We don't want a judiciary that is passive with respect to the continued erosion of the Constitution. We need a principled judicial activism to direct any pressures for constitutional change through the processes of Article V of the Constitution.

Their recommendation that Congress stop the federalization of crime and the expansion of litigation in federal court, ironically, recognizes that it has been Congress, not the courts, that initiated the progressive federalization of the criminal code. Moreover, the Republican 104th Congress recently reapproved the Gun-Free School Zone Act after a rare challenge by the Court (in the *Lopez* case) of Congress's elastic interpretation of the Interstate Commerce Clause. A principled judicial activism by the federal courts is necessary, though probably not sufficient, to deter Congress from acting like a continuous constitutional convention.

William A. Niskanen
Chairman, Cato Institute
Washington, D.C.

To the Editor:

I write to heartily endorse Meese and DeHart's position, and to add a couple of salient points. First, the Senate has routinely affirmed blocs of activist judicial appointees by roll call votes. Ultimately, these judicial appointments will be the lasting legacy of the liberal Clinton agenda. It is time for conservatives in the Senate to halt this process by proclaiming the words, "I object."

Second, I agree that pursuant to Article III of the Constitution, federal appellate powers should be limited; it is doubtful, however, that such legislation would pass through the Senate. Alternatively, Section Five of the Fourteenth Amendment provides a means of protecting the rights and privileges of the people. Like the Religious Freedom Restoration Act, Fourteenth Amendment legislation may be enacted to protect equal rights, as well as moral and religious beliefs. Such legislation would afford protection against legislation from the bench that allegedly seeks to "balance" rights against perceived "animus," or to "equalize" rights against what a particular judge perceives to be "injustice." As Meese and DeHart point out, such code words are merely a pretext for judicial social engineering. Since such judicial legislation is a present reality, Congress must, at the very least, carve out exemptions from such judicial mandates.

Mark N. Troobnick
American Center for Law & Justice
Washington, D.C.

To the Editor:

Meese and DeHart understate the danger to American society posed by the virtually unrestrained policymaking power assumed by the Supreme Court. To the authors' list of "poor public policy" choices imposed on the country by the Court, one could add the Court's decisions on school prayer, government aid to religious schools, public displays of religious symbols, pornography, homosexuality, street demonstrations, libel, vagrancy control, discrimination on the basis of illegitimacy and alienage, compulsory school integration by busing, and so on, almost indefinitely.

The only thing the decisions in these myriad subjects have in common is that in each case they reject a policy choice made in the ordinary political process in favor of one more to the left. Unfortunately, these preferences are not consistent with the maintenance of a viable society.

The remedies suggested by Meese and DeHart to deal with unrestrained judicial power are unlikely to prove adequate. Their primary suggestion, that the Senate deny confirmation to activist judges, is little short of ludicrous in light of recent court appointments. Do they forget that Republican presidents since Nixon have made 10 consecutive Supreme Court appointments? The result: Not a single major Warren Court invasion was overruled, and perhaps even greater innovations—as in the abortion and busing decisions—continued to appear. If the Republicans could do no better than to give us judges like Warren, Brennan, Burger, Powell, Blackmun, Stevens, O'Connor, Kennedy, and Souter when they were doing the nominating, what can they expect to accomplish with only the power to reject Clinton nominees? Abandon hope, gentlemen, that any relief lies in that direction.

The authors recognize that judicial power is strongly protected by the fact that the Constitution is extraordinarily difficult to amend. They suggest as a solution, however, only that the Constitution be amended to permit amendments, without participation by Congress, by means of proposals made by two-thirds of the states and ratified by three-quarters, which is very little different from where we are now. We need instead to make the Constitution very much easier to amend by, for example, ratification of proposed amendments by a majority of the states or, even better, by majority vote in a national popular referendum.

If conservatives obtain the power to amend the Constitution, they should use it effectively, not just to tinker. The most effective amendment would simply abolish judicial review, which is not a proper part of the judicial function

Letters to the Editor

Policy Review: The Journal of American Citizenship welcomes letters to the editor. We reserve the right to edit correspondence for length, clarity, and civility. Write to:

Policy Review
214 Massachusetts Ave., N.E.
Washington, D.C. 20002

E-mail us at polrev@heritage.org, or visit *Policy Review's* World Wide Web site at http://www.heritage.org.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and is not now provided for in the Constitution. It is not necessary, however, to go this far. All that is necessary is to give a definite meaning to the Fourteenth Amendment, which the Supreme Court has made a second constitution, largely replacing the original.

The Amendment was meant to guarantee basic civil rights to blacks, not to authorize the Court to act as the nation's ultimate lawmaker on any social policy of its choosing. This situation could be effectively remedied by an amendment clarifying, restoring, and strengthening the original meaning of the Fourteenth Amendment by making it a simple prohibition of all racial discrimination by government.

Today's rulings of unconstitutionality typically have no relation to the Constitution except for routine references to the Due Process and Equal Protection clauses. The Due Process Clause was meant to require that criminal trials follow established procedure. The Equal Protection Clause was meant to prohibit certain discriminations against blacks. We need to restore these clauses to their intended meaning by turning away from government by majority vote of a committee of nine lawyers, unelected and holding office for life, and return to the federalist system of self-government envisioned in the Constitution.

Lino A. Graglia
Univ. of Texas Law School
Austin, Texas

To the Editor:

The Meese-DeHart attack on the "imperial judiciary" well describes the assumption of legislative power by the Supreme Court, which has gone far in destroying self-government by the American people. The five recommendations for "turning the tide" are meritorious and should be pursued. Some of these, such as stripping the American Bar Association of its privileged role in the judicial selection process, are very tangible objectives. But some others cannot be realized until the major news media become so discredited that their power to dominate the culture (hence our politics, hence judicial selection, hence court decisions) is radically diminished.

The Meese–DeHart recommendation that the Senate "should use its confirmation authority to block the appointment of activist federal judges," while obviously correct, does not account for the power of the news media to saturate popular opinion and to pervert the thinking of Judiciary Committee members. The media's worshipful respect for Ginsburg, Souter, and Breyer and hostility to Bork and Thomas heavily influenced the outcomes of their nominations.

William Bentley Ball
Harrisburg, Penn.

To the Editor:

Looking at the 50-year record of congressional complicity in the growth of judicial power, one can't help but conclude that authors Meese and DeHart are overly optimistic in expecting Congress to embrace any of their reforms. Their failure to recognize the workings of the state amendment process is particularly disappointing. It is a remarkably balanced process that allows the states to write amendments Congress would never consider.

Although they can do this without interference, they cannot do it without congressional guidance. Congress, by the power of its "call," controls the legal agenda of the state-held convention. Any act of the convention beyond writing the amendment sought would automatically be illegal, relieving Congress of any obligation to pass them on to the states for possible ratification.

Even so, before the states can hold an amendment convention, it is first necessary to restore their willingness to do so. This is not as difficult as it sounds. When you read the arguments against a state-held convention, you will find all of them purely speculative, based both on fear of the unknown and the insistence that anything is possible. To counter this, let the states call a national conference and spell out precisely how they will conduct their convention. After that, there will be no fears over what might happen, because we will know what will happen.

When the time comes where the states decide they want to clip the wings of the judiciary by amending the Constitution, they can proceed to petition Congress with full confidence that what George Mason gave them—the power to amend the Constitution itself—is not only feasible but workable.

John R. Carter
Earlysville, Va.

To the Editor:

Meese and DeHart are dead right on the problem of federal judges run amok. Most of their advice to Congress is sound. I would, however, drop one of their suggestions and substitute one or two others. The reason is the same in each case: Meese and DeHart misinterpret the constitutional magnitude of the power of judicial review.

Missing the significance of the remarks they quote from Abraham Lincoln's First Inaugural Address, they wrongly assert that constitutional rulings of the Supreme Court cannot be "reversed or altered, except by a constitutional amendment." This was not at all Lincoln's view—nor was it John Marshall's, Joseph Story's, James Madison's, or Alexander Hamilton's. The view from the Founding was that a ruling of the Court is binding on the parties to the case at hand, but that only in a limited class of cases is the Court's gloss on the Constitution binding as a political rule for policymaking by the Congress and the president. Lincoln did not seek a constitutional amendment to overturn Dred Scott's effect on slavery; he and the Republican Congress in 1862 simply legislated as if the ruling had no force over them—which it did not. Until some time after the Civil War, it was well understood that the separation of powers meant coordinate, coequal branches of government.

There is no reason, therefore, to make the process of amending the Constitution easier, as they suggest. All that is needed is a Congress with the awareness and confidence of its own power to say of Court rulings affecting national legislation, "That's interesting—have you Justices any other advice to offer before we ignore you and go about our business?"

Should the Court remain recalcitrant in the face of congressional will, there is another expedient that Meese and DeHart should have suggested to Congress: impeachment of judges for willful usurpation of legislative authority. This is endorsed by Hamilton in Federalist No. 81 and by Story in his *Commentaries*. If it was good enough for two such staunch supporters of judicial independence, then it ought to be good enough for us.

Matthew J. Franck
Radford University
Radford, Va.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Welfare Fraud

To the Editor:

I have worked in the welfare system for 17 years, approximately 14 of those years in welfare-fraud investigations. I enjoyed reading James L. Payne's comparison of the attitudes of social workers in the last century with those of today ("Absence of Judgement," Nov.-Dec. 1996). Those of us working in fraud investigations are often at odds with the social-worker mentality. We find that in spite of reform, there are still many areas in which eligibility workers exercise wide discretion in allowing waivers of eligibility criteria on a case-by-case basis.

For example, while wrapping up an investigation of unreported income, an investigator came to me with a case worker's notes which declared that the worker was aware of employment and income not reported by the recipient. The worker stated that he was not going to report this to our office as an overpayment because it would create an unnecessary hardship in the household. I was assured by the agency involved that this worker is authorized to make such determinations. Our new policies permit such discretion whenever, in the judgment of the case worker, an eligibility requirement will interfere with the household's progress toward self-sufficiency. So much for living by the rules.

Those of us involved in the law-enforcement end of welfare are frequently frustrated by the lack of consequences for a violation of the rules. A person can be disqualified from Aid to Families with Dependent Children and Food Stamps if found to have committed an "Intentional Program Violation." The process is initiated by our agency and carried out by the assistance agency. A legislative audit two years ago found, in a random sample, that out of 25 disqualifications initiated by our agency, not one was carried out by the other agency. In fact, only one of the 25 files had a copy of the disqualification memo in it.

I admit to being jaded by daily experience. All of us recognize there are those who need help for the short term and those who will need it always. We are big enough and generous enough to provide what is necessary. What we all object to are the biggest areas of failure in the system: (1) Supporting people who are too shiftless to support themselves when they are able; and (2) enslaving others to dependency who would not otherwise allow themselves to be enslaved. My 17 years in the welfare "industry" have demonstrated that welfare destroys people's ambition and takes away their hope. Weaning them away from it will not be easy, and it makes me uneasy about the future.

The Romans kept the rabble at bay with free wine, bread, and daily games. For 30 years we have encouraged and rewarded irresponsibility with money, and now we tell them there is no more and they must work. They will not say "OK" and go quietly into the night. And yet, we must do something. I hasten to say they are not all rabble. I use the term to refer to that portion for whom it fits. But, whoever they are, we have done them all a disservice, for which we will reap the whirlwind if we don't undo it correctly.

Stephen Hayes
Pleasant Grove, Utah

Reagan's Due

To the Editor:

As one of the *New York Times* jurors who rated President Reagan "Near Great," I was naturally delighted with *Policy Review*'s response ("There You Go Again," March-April 1997). You might also have noted that Kennedy and Carter were overrated by the jury. In checking my scorecard, I see I owe an apology to the heirs of Rutherford B. Hayes, whom I inexplicably rated a failure.

Stephen Hess
Brookings Institution
Washington, D.C.

To the Editor:

Ronald Reagan's stature as one of the three or four greatest presidents of American history is further cemented with each day that the office is held by the rudderless charlatan currently occupying it.

Kent Rebman
Brownsburg, Ind.

To the Editor:

Alvin S. Felzenberg got it right with his observation concerning the "32 historians and other experts." I fully expected Ronald Reagan to get bashed. It is the *Times*, after all. But how did Woodrow Wilson get to be Near Great when his intellectual wool-gathering at Versailles practically guaranteed World War II? Truman deserves his rank, mainly for the Marshall Plan and the containment of Communism. Then Reagan came along and pushed the "Evil Empire" over the cliff. I don't know about Mt. Rushmore, but Buckley's headed in the right direction. Reagan will be right up there with Truman when this bunch dies off.

Kelton B. Miller
via e-mail

To the Editor:

As a child, I was trained to "duck and cover" under my school desk in the event of a nuclear war with the Soviet Union. We were taught the historical inevitability of communism. We watched as our nation incrementally became socialist. In 1980, with international communism on the advance, and democracy in retreat both militarily and economically, the United States elected Ronald Reagan our 40th President. At the end of the 1980s, the so-called decade of greed, the Soviet Union did not exist, democracy was flourishing around the world, and the United States was the sole remaining military superpower in the world. This is Reagan's legacy.

Thank God my children do not have to hide under their desks waiting for Soviet missiles. Along with Churchill and Pope John Paul II, Ronald Reagan will be remembered as one of the great peacemakers of the 20th century. We all owe him a debt of gratitude.

To President Reagan, our prayers and thanks. God bless you and God bless America.

Dennis Martin
via e-mail

To the Editor:

I most appreciate the effort to correct the record of Ronald Reagan. He was a great president in a way that was critical to America at just that time in history. There was a moment before Reagan took office when it seemed that America had lost its spirit. He not only got us out of an economic mess but raised our spirits high so we could be proud of ourselves again.

Andrew Weiszmann
Chicago, Ill.

Correction: The photo credit for the cover of the March-April issue of *Policy Review* should have read "Jim Gehrz/*Milwaukee Journal Sentinel*."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

San Francisco's Chinese Wall

In 1866, California enacted a racist law allowing the state superintendent of education to withhold funding from schools that enrolled Chinese children. More than a hundred years later, some schoolhouse doors are still closed to Chinese-American students in San Francisco, where ethnic quotas routinely deny them access to both neighborhood schools and the city's best high schools.

Fourteen-year-old Patrick Wong found this out when he was denied admission to three San Francisco high schools because they had already filled their quotas for students of Chinese descent. Patrick was rejected by prestigious Lowell High even though his grades and test scores were higher than those of some whites, Japanese, Koreans, Filipinos, American Indians, and "other non-whites" who gained admission. Patrick was also rejected from two other schools where Chinese-American students were capped out.

Whenever such quotas keep white children out of San Francisco's few good high schools, their parents can often afford to send them to private school. But like many Chinese-American parents, Patrick's mother, who was raising him alone, could not afford private tuition.

"Patrick's story is not atypical," says Amy Chang, a third-year law student and an activist in the city's Chinese community. "Sadly, it is the untold story of many children." Such incidents, she says, have finally inspired the community's leaders to file a class-action lawsuit charging the San Francisco Unified School District (S.F.U.S.D.) with racial discrimination. In the 1990s, San Francisco's Chinese-American children are finding their path to education blocked, not by segregationists in the George Wallace mold, but by the racial bean counters of modern liberalism.

by Michael W. Lynch

Michael W. Lynch is the Washington editor of Reason *magazine and a senior fellow at the Pacific Research Institute, in San Francisco.*

Balkans by the Bay

Since 1983, a sweeping, federally supervised consent decree has divided San Francisco's children into nine ethnic groups and set quotas on the ethnic composition of its schools. The decree requires every school in San Francisco to enroll students from at least four ethnic groups. More importantly, no ethnic group may constitute more than 40 percent of an open-enrollment school, such as highly selective Lowell High, or 45 percent of a neighborhood school.

Chinese Americans account for 27 percent of the district's students and 30 percent of all high-school students. Hence these rigid quotas result each year in Chinese students being "capped out" of as many as six of the district's high schools and numerous elementary and middle schools. These students are forced to attend school far from their homes or to forego the opportunities offered by academically challenging high schools like Lowell.

In response, Chinese parents have hired a lawyer and filed a lawsuit against the S.F.U.S.D. "The lawsuit is at the center of an important effort of our community to tell our children that they are important, that they are not to blame, and that we have laws and a constitution to protect individuals against racial discrimination," says Chang. "There are real victims here. To learn at a young age that you cannot achieve the fruits of your labor because of your race is devastating. A lot of the children I talk to wish that they were born something else." If the Chinese parents are successful, they will not only secure a better future for their children but may also set a legal precedent that will topple race-conscious education schemes in other cities.

A federal judge imposed the consent decree in 1983 in response to a lawsuit brought by the National Association for the Advancement of Colored People (NAACP). The civil-rights group alleged that the S.F.U.S.D. had long "engaged in discriminatory practices and maintained a segregated school system." No court ever determined the truth of this charge. The judge ruled that the case could proceed to trial on the grounds that the racial composition of the district's work force did not match that of the student body. Rather than defend itself in court, the district felt compelled to enter into a consent decree.

The decree's two goals were to "eliminate racial or ethnic segregation . . . in any S.F.U.S.D. school, program or classroom" and to "achieve academic excellence" throughout the school district, by which it meant raising the academic performance of black and Hispanic students.

The city's school district bars Chinese children from some schools in the name of ethnic diversity.

What Quotas?

Supporters of the consent decree dismiss the parents' complaints. "It doesn't set up racial quotas," states Dan Kelly, a member of the school board whose son attends a private high school. "It does limit the concentration of students at a given school." Thomas I. Atkins, the lead attorney for the NAACP, offers the standard, discredited liberal defense of quotas: They are necessary to achieve diversity, which in turn leads to academic excellence. "Every school must have no fewer than four of the nine major ethnic groups," says Atkins. "Is that a quota—who cares? . . . For those parents who are hung up at not being able to get their kids into Lowell, tough s - - t, that's my response."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The city is right to be concerned about the academic failures of its students. Like most government social-engineering projects, however, this one has failed miserably. Through fiat, the city's schools may have achieved ethnic diversity (at the expense of fairness). But Harvard education professor Gay Orfield, who helped design the consent decree, recently conducted a 10-year review and found that most African-American and Hispanic students "still face devastating levels of educational failure." In 1994, the average grade-point average of black students was 1.86; Hispanic students had an average g.p.a. of 2.04.

The consent decree had long been a subject of concern in the Chinese-American community. But it wasn't until 1992 that Chang took it upon herself to challenge the discrimination through the Chinese American Democratic Club (C.A.D.C.), the oldest Democratic Party club in San Francisco. The C.A.D.C. wrote a position paper, organized parents in the community, and lobbied the elected school board and the S.F.U.S.D.'s administrative bureaucracy.

It wasn't hard to find Chinese-American parents who were outraged about the quotas on their children. As one parent told the *San Francisco Chronicle*, "I am tired of the schools singling out Chinese. We've worked so hard to get good grades and now we can't go to a decent academic high school that is safe and will prepare us for a four-year university."

The C.A.D.C. took its case to the school district's administrators and every member of the school board. "Some of the school board members said 'the consent decree is law—if you don't like it, take us to court,' " says Roland Quan, a former president of the C.A.D.C. who has three children in public school. The position of the bureaucrats was the same. Recalls Quan, "The staff said that their hands were tied: 'If you don't like it, you will have to sue us.' "

The C.A.D.C. also tried to get a resolution of support from the central committee of San Francisco's Democratic Party, which has considerable influence in this overwhelmingly Democratic city. Although the resolution won the support of each of the minority Democratic clubs, the clubs run by white liberals didn't sign on to it, and it failed.

By 1993, it was clear that the parents wouldn't win by working within the system. So the C.A.D.C. set up the Asian American Legal Foundation and started preparing a lawsuit. The activists faced two challenges: They needed plaintiffs and they needed a lawyer. None of the Bay Area's most prestigious Asian lawyers was able or willing to take the case. Eventually the activists secured *pro bono* representation by local lawyer Dan Girard.

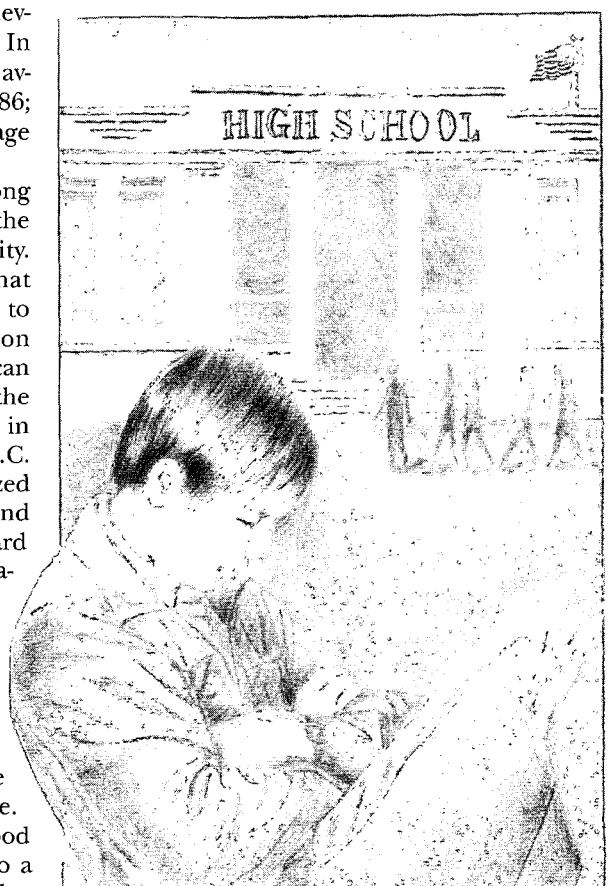


Illustration by Kathryn Vierra

Young Victims

"I think the most difficult thing was to find a plaintiff in the Chinese-American community because we are compromise-oriented," says Quan. The activists convinced some parents, however, that their participation would benefit the whole community. They were able to secure a representative class that included Patrick Wong and two other students:

- Brian Ho, a five-year-old who was denied admission to two schools in the Sunset District, where he lives, because Chinese students were already "capped out" at the 40 percent ceiling. He was forced to attend another elementary school in the notorious Haight-Ashbury District.
- Hillary Chen, an eight-year-old who was denied a transfer to two elementary schools in the Sunset District after her family moved there from the Richmond District. Capped out of her neighborhood schools, she was required to attend school in her old neighborhood.

On July 11, 1994, the plaintiffs filed their suit in federal district court. While Girard works for free, the defendants show up with at least 10 attorneys. Two are from the NAACP; under the consent decree, they may collectively bill the state more than $500 per hour for defending the status quo.

Federal judge William Orrick, a Carter appointee who has overseen the case from the beginning, has heard oral arguments and is expected to issue a ruling within a month. Regardless of what happens in this round, this case will likely reach higher courts. With a central tenet of liberal ideology on the line, the NAACP is sure to appeal an adverse ruling all the way to the U.S. Supreme Court. This strategy, however, carries great risk: Recent decisions such as *Adarand v. Pena* (1995) suggest that a majority of the current Court regards racial preferences by government as unconstitutional. So if the Court strikes down this discriminatory policy against Chinese-American students in San Francisco, the NAACP risks undermining similar racial-engineering schemes in school districts all over the country.

The plaintiffs are just as unlikely to give up before their case reaches the Supreme Court. "This lawsuit isn't about numbers," says Chang. "It is about the fundamental principle that each individual should be recognized as an individual and not be discriminated against because of race. This lawsuit is about telling our children that in America you can aspire to anything you want and can be judged as an individual free from racial discrimination."

This department continues on next page.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

When Saving Doesn't Pay

My daughter Lee pays taxes at a higher marginal rate than Bill Gates. She's not a trial attorney, nor a surgeon, nor a recording star. Rather, she's an 18-year-old with a ponytail, a part-time job, and a 4-H project, and she's going to college in the fall. President Clinton wants to subsidize college for everybody with a brand-new $1,500 entitlement. But his proposal overlooks both a federal tax code and a college financial-aid system that harshly penalize kids who work hard and save enough money to pay their own way.

As we struggle through the financial-aid and income-tax maze, it has become clear that Lee's mother and I are lousy financial planners. It's not that we didn't have a plan. We started when Lee was eight and she raised and sold her first 4-H calf. Yes, people still do that. These 4-H projects teach responsibility: Lee has fed and watered her animals every day for the past 10 years. Future Farmers of America and 4-H have also taught Lee how to manage money and run her own business. We've made it clear to Lee since she was eight that any profits from her cattle-feeding would go toward her college education. Since then, Lee has started raising flowers, and with help from her parents and grandparents, both enterprises have been profitable. All profits not reinvested in the Lee Hurst microconglomerate have been used to purchase savings certificates at the local bank.

That was a mistake—because our tax code and the financial-aid system for today's scandalously overpriced colleges ensure that working and saving for college is a fool's game. Our first brush with this upside-down system of incentives was the financial-aid application. In calculating the amount that families should contribute from their savings to tuition, the aid formulas "tax" the savings of prospective students at 35 percent, or three times the rate that it penalizes the assets of their parents. Lee's savings certificates aren't enough to pay her way through college, but they do disqualify her from any means-tested aid. Had she done nothing to prepare for college expenses, we might have qualified for at least some help. But since she has spent time every day since she was eight saving up for college, she is on her own. Financial aid would have been a last resort for us, but the message to Lee is clear: Working and saving really don't reward you all that well.

If the financial-aid system is perverse, the way the IRS treats kids who work and save is even worse. The interest on Lee's savings qualifies as unearned income and so is taxed more heavily than regular income. As a farming family, we know that we are just a drought or a flood away from a year without any income. So it is especially galling that we are penalized for taking steps to guard Lee's future as a student from the vagaries of Mother Nature. And, as any parent who has fought battles over designer jeans and Friday-night pizza parties knows, a teenager finds saving money very difficult.

It has become even more difficult since Lee discovered the joys of driving. Her bill for car insurance would have paid for a year of college when I went to school, and the auto body shop we frequent has dedicated one bay to the seemingly full-time job of pounding out dents in our family car. But the standard deduction that shields the first dollars of wage income from taxes does not apply to "unearned" income earned by dependents, so the IRS takes a bite out of our college fund each year.

If that weren't bad enough, I spent a little time this year figuring out how the IRS would treat Lee if our parenting had been as unsuccessful as our financial planning. If Lee were an unwed mother and had the same income, she could avoid all income taxes by filing independently. She would also qualify for the Earned Income Tax Credit and would receive around $1,500 in cash from the federal government. Again, Lee is receiving the wrong signals about the value of working hard and doing the right thing.

Lee spent last summer raising 2,400 asters, fall blooming flowers grown in two-gallon pots. While her friends were going to the mall or the pool, she schlepped those asters onto our truck and delivered them to garden centers around the Midwest. When she writes her first check for tuition at the University of Missouri, she'll have a very concrete idea about the cost of her college education.

Before Congress and President Clinton expand student aid with a new entitlement for the middle class, perhaps they should change the present system to better reward those who work and save to pay their own way. When income taxes, Social Security taxes, and federal aid penalties are considered, Lee faces a marginal tax rate of around 65 percent (see inset). Eighteen-year-olds don't normally spend a lot of time calculating the value of work versus leisure. But when taxes are this high, a kid doesn't need a Ph.D. to question whether a paycheck is worth the effort. All in all, it's enough to make a girl quit her job and take up sunbathing.

*For every extra dollar Lee Hurst (pictured here) earns in her part-time jobs, she pays **15 cents** in income taxes and **15 cents** in payroll taxes. And since her college would reduce her financial aid by 50 percent of her income, the 70 cents she banks would cost her **35 cents** in aid. Her marginal "tax" rate: **65 percent**.*

Photo courtesy of Blake Hurst

by Blake Hurst

Blake Hurst is a farmer and greenhouse grower living in Tarkio, Missouri.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Laboratories of Democracy

Mrs. Colehill Thanks God For Private Social Security

Three Texas counties have already privatized Social Security—with great results.

by Stephen Glass

Stephen Glass is an assistant editor at the New Republic *magazine.*

Opponents of plans to privatize the Social Security system often exploit the fear of the unknown. Testifying before the House Ways and Means Committee in October 1994, for instance, union official Gerald Shea criticized such privatization plans as too risky. Over and over again, the employee-benefits director for the AFL-CIO said there is no evidence that privatization is better, no evidence that workers will save up more money, no evidence that workers will be protected if they become disabled, and no evidence that they could carry their savings from job to job.

Conjuring up images of senior citizens standing in line at soup kitchens, he said that passing privatization reform would eventually force a future Congress to reintroduce Social Security. "No private insurance product," he said, "can offer such protection."

Three weeks before Shea's testimony, in an equally passionate speech over the grave of her husband, Wendy Colehill offered just such evidence. A sanitation worker in Galveston, Texas, for 12 years, Bill Colehill had died in a car accident while driving Wendy and their three-year-old son home from the beach. He was 38. "I am normally a quiet person, but not at that cemetery I couldn't be," Wendy says. "I did what Bill would have wanted me to do. I thanked God that some wise men privatized Social Security here. If it wasn't for them, if I had regular Social Security, I'd be broke when he died—eating cat food or something." Within days of Bill's death, Wendy Colehill had received a death-benefit check for $126,000. With that money, she paid both for her husband's funeral and, since she could not raise Bill Jr. on a cashier's wages from Burger King, for her tuition at paralegal school. If Wendy Colehill had instead been relying on Social Security benefits, she would have received a check for a mere $255.

A Lucky Loophole

When Social Security was established in 1935, a loophole allowed states and municipalities to exempt their public employees from the federal retirement program. In a handful of states, governors and unions set up smaller versions of Social Security for teachers. They were virtually identical to the federal program. But in 1981, three counties in eastern Texas quietly withdrew from the Social Security system and set up their own privatized retirement program. Fearing a severe drop in Social Security tax revenues if others followed, Congress closed the loophole two years later. But the Texas experiment shows that Americans have nothing to fear from privatization.

The Texas program makes more money. It offers greater benefits to the disabled. It follows the worker from job to job. And upon the death of the beneficiary, it functions as a generous life-insurance policy, paying the survivors a minimum of $50,000. "For years, critics have been able to argue with computer projections and models against privatization, but this is real life," explains Merrill Matthews Jr., an analyst at the National Center for Policy Analysis, in Dallas. "And real life shows us it works even better than anyone expected."

In 1979, Bill Decker was serving an uneventful term as Galveston's county attorney. As the county official responsible for personnel administration, however, he started to become concerned about all the newspaper reports of Social Security's looming insolvency. So he asked a financial analyst to design a program that would protect the county's workers. Don Kebodeaux, the president of Houston's First Financial Capital Corp., proposed privatization.

Under Kebodeaux's plan, the 5,000 public employees of Galveston, Brazoria, and Matagorda counties are still taxed 6.13 percent of their pay, just like employees everywhere, and the county kicks in an equal amount. But the money doesn't go to Washington. Instead the fund works like a private annuity. Every year, the counties ask large insurance companies to bid against each other for the right to manage their retirement funds for one year. Each insurance company offers the counties a guaranteed rate of return on their investments, and the counties choose the highest bidder.

The results have been far superior to Social Security. In some years, the guaranteed annual return has been as high as 12 percent. Since 1981, it has averaged 6.5 percent. By contrast, Social Security's mean annual return on investment is 2.2 percent for a typical worker born in 1950. Burt Jamus, a Galveston County employee, voted against privatization, but now says it was "a blessing from God." The 40-year-old middle manager says that, under current projections, he will receive $5,474 a month after he retires, compared with $1,042 under Social Security.

How It Works

What happens if the stock market falls? The insurance company assumes all the downside risk. Although the guaranteed rate of return deprives county employees of some of the fruits of bull markets, it also protects them from losing their retirement funds when markets drop.

County employees are vested immediately. They also own their retirement account, and can take it with them if they switch jobs. Employees are allowed to increase their contribution, which is all tax-deferred, to 20 percent of their income. When they retire, they

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

can choose to receive a monthly check for the interest on their account (leaving the principal untouched, perhaps to be passed on to heirs), or receive all or part of the principal in a taxable, lump-sum payment (and reaping monthly interest on any principal they leave in the account). By contrast, Social Security benefits are paid by taxing current workers; since it isn't based on investments, beneficiaries never accrue any principal.

Among the features of the private system that county employees particularly love is its life insurance and disability benefits. Before landing an annual contract, a winning insurance company must agree to fund a richer version of Social Security's life insurance and disability benefits. While Social Security pays a one-time death benefit of $255, the private plan pays triple the worker's salary up to $150,000, but not less than $50,000.

Likewise, the private plan's disability insurance pays the worker 60 percent of his salary until recovery or retirement. Workers need not fear insurance companies will put up too many regulatory hurdles, because the private plan requires little more than a doctor's approval. "Our disability plan is designed to be easy," Kebodeaux says. "Under this program you will always get equal or better benefits than under Social Security. That's just not up for debate."

Most current proposals to privatize Social Security would allow direct investment of payroll contributions in the stock market. The investments would be managed by a government board or by the workers themselves. Hence critics say that privatization carries at unacceptable risk in pursuit of higher returns. The Texas model, however, increases returns over the current system substantially without tremendous risk. Since insurance companies have to guarantee a fixed rate of return in advance, the workers' principal is not subject to the winds of the market.

They Just Don't Get It

Despite improved benefits and investment returns, however, the private plan was actively opposed by top brass at the local chapter of the American Federation of State, County, and Municipal Employees (AFSCME). At debates throughout the three counties, union officials predicted all the money would be squandered in bad investments. Union officials urged their members to change jobs if the private plan passed so they wouldn't lose their retirement.

After a series of debates on the plan, the union's rank-and-file voted 78 percent to 22 percent in favor of privatization. "There seemed no logic to the union's leadership stance," one union member says. "It's clearly better for us. This is precisely what they should be advocating we get. They should like us getting more money. It seems basic."

"Privatization was no nightmare," said one retired employee. "It was a pure miracle."

Not so, according to Faye Cole, the executive director of the AFSCME local that represented the employees. Cole says that despite the system's guaranteed returns, one must be wary of the private sector. She says she will oppose any expansion of privatization because it's too risky. "Just because they have always gotten more money doesn't mean they're better off," Cole says. "Don't buy into that logic."

Maybe so, but union loyalists chuckle when they recall the debates over privatization back in 1979. This past January, *Policy Review* interviewed Meredith Kansan, a retired county worker who died several months later. Before the vote, Kansan had worked in clerical jobs for more than 31 years. "I remember crying in my living room the day they voted to change to private," she said, pausing to laugh. "Can you believe that? I believed all that hooka that my retirement money was going out the window."

Twelve years later, Kansan retired. Although she worked for more than twice as long under the Social Security system as under the private plan, her private benefit check was twice as large. Kansan, who had no family, moved to Arizona and used the extra money to open a yarn shop. "I love to knit and that's my dream," she said. "I had just given up on the idea of opening the store. Privatization was no nightmare—it was a pure miracle."

Teachers Union Faces a PAC Attack

Washington state fights to keep a teachers union from misusing dues for political activity.

Two months ago, in a quiet, rural corner of Washington, grade-school teacher Jeff Leer opened a startling letter from his union.

"Dear Mr. Leer," the letter began. "I am the general counsel for the Washington Education Association [W.E.A.]. You have repeatedly and forcefully asked [your] District to stop collecting . . . political education dues from W.E.A. members. . . . You are hereby warned that if [your] District withholds dues transmission . . . we will sue you."

"I was scared," Leer says. "My first thought was, have I put my family's future at risk?" Leer called Steven T. O'Ban at the Seattle law firm of Ellis, Li and McKinstry for advice. Since 1990, O'Ban has successfully represented teachers who do not want their union dues—which are withheld from paychecks to support collective bargaining—to be used for politics. He has recovered up to 70 percent of dues for his clients. Says O'Ban, "W.E.A.'s threatening notice is an act of desperation."

Leer was guilty only of reminding his district of the unprecedented lawsuit filed by the state attorney general against the state affiliate of the National Education Association. In it, Attorney General Christine Gregoire charged the union with "hundreds of thousands of dollars" in campaign finance violations.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Among Gregoire's several allegations against the W.E.A., the union is charged with "severely frustrating the public's right to know," "improperly funding" ballot initiatives, and creating a shadow political fund in "an attempt to circumvent the law." Because state law allows for triple damages and a $10,000 fee for each violation, the union's powerful political machine—illegally fueled by teachers' dues—could find itself running on fumes.

The law wielded by the attorney general is Initiative 134, a state campaign-finance reform law passed in 1992 by more than 70 percent of Washington voters. Under the law, unions are required to obtain prior written authorization, which they must renew annually, for all payroll deductions used for political expenditures.

Prior to passage of the initiative, the 65,000-member union used the nationwide practice of "reverse check-off" for deductions funneled to political-action committees. Districts automatically extract PAC money from the paychecks of union members on behalf of the union. Member who wish to opt out have to submit a written revocation on a particular date designated by the union. (In Washington, perhaps not coincidentally, the W.E.A. chooses a date when many teachers are on vacation.)

By Another Name

Under I-134, W.E.A. members who want to fund their union's political campaigns against conservative legislative candidates, school-choice initiatives, et cetera must actively choose to support them, and only about 20 percent do so. Rather than respect the rights of their members, however, W.E.A. leaders contrived a new mandatory political deduction—the "Community Outreach Program" (C.O.P.). Robert Maier, a lobbyist employed by the W.E.A., recently stated under oath that the C.O.P. deduction was "an internal ploy to raise more W.E.A.-PAC money." (W.E.A.-PAC is the union's political-action committee.)

The union extracts more than $60,000 a month from teachers' pay via C.O.P. without their consent. Gregoire charges that the "primary purpose" of the C.O.P. deduction was "to influence the political process by supporting or opposing candidates and ballot measures." The money that Jeff Leer asked his district to stop deducting from teachers' paychecks was going to C.O.P. He requested only that the district wait until teachers give their prior consent, as the law mandates. To Leer, this seemed the obvious implication of Gregoire's allegations.

This soft-spoken teacher is not new to union intimidation. Last year, Leer, along with several of his colleagues, learned about large money transfers from the teachers union to the union's PAC. So they filed complaints with the state Public Disclosure Commission (P.D.C.), the state's campaign-finance watchdog. After months of inaction on the part of P.D.C., the teachers enlisted the expertise of Bob Williams, the president of the Evergreen Freedom Foundation. With his background as a certified public accountant and government auditor, Williams followed the union's labyrinthine money trails through W.E.A. income, expenditure, and tax reports, and uncovered massive campaign violations.

On August 26, Williams presented his findings at a public hearing before the P.D.C. The union responded by continuing their public denunciation of these teachers as "highly trained political operatives," disgruntled freeloaders "unwilling to pay their fair share," and members of an "anti-public education" group engaged in an "ultra-conservative conspiracy" against teachers and public education.

"It's a bunch of baloney," says Barb Amidon, a school counselor in Olympia. "We have written letters to our union leaders and made public statements expressing our full support of our union's collective representation for which we pay our fair share."

As the 1996 campaign season began, the P.D.C. said it would make the W.E.A. investigation its "number-one priority." But weeks passed without any apparent action. The whistleblowers grew concerned that the political nature of the P.D.C. and the attorney general's office might influence the outcome. All five of the P.D.C. commissioners are liberal gubernatorial appointees, and Gregoire is a Democrat who has received thousands of dollars in W.E.A. campaign gifts.

Fortunately, Washington state law contains a crucial provision called a Citizen's Action. Any citizen concerned about a delay in the P.D.C.'s investigation of campaign-finance complaints can file a 45-day notice, at the end of which the citizen can begin independent legal action. If the court sides with the citizens, the state must pay their legal costs. Some concerned businessmen filed just such a notice in September.

Entangled in Politics

Just as the 45-day clock ran out, the P.D.C. referred the case to the attorney general for prosecution after finding the W.E.A. guilty of the largest campaign violations in state history. The P.D.C. found the W.E.A.'s collective-bargaining activities so intertwined with political activities that it recommended the attorney general investigate "whether or not the W.E.A. [itself] constitutes a political-action committee."

Gregoire agreed with the P.D.C., returned her latest W.E.A. campaign contributions, and took the W.E.A. to court. Should the union be found liable, the penalties and permanent loss of revenue to the union's political machine could be enormous. This case may be a watershed in efforts to alert the rest of the country to the way teachers unions divert members' dues to political causes.

The union extracts $60,000 a month from teachers' paychecks without their consent.

Many teachers spent last summer working for school-choice initiatives that the union spent their dues to defeat. In a recent *Seattle Times* op-ed, the teachers said it best: "To [W.E.A. leader] Purdom and the union leadership we say this: By violating the public's trust and teachers' rights, you have shamed our profession. . . . Let us educate children without being forced to finance your political vision." Continuing its investigation of the W.E.A., the Evergreen Freedom Foundation has uncovered additional substantial violations, and is currently preparing to bring them to the attention of the attorney general.

by Peggy Jackson

Peggy Jackson is the communications director of the Evergreen Freedom Foundation, in Olympia, Washington.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Chastity Programs Shatter Sex-Ed Myths

The results are in: New curricula prove they can cut teenage sex and pregnancy rates.

Last year, President Clinton proclaimed May "National Pregnancy Prevention Month." This year, there is a little more substance behind that designation. The National Campaign to Prevent Teen Pregnancy, a nonpartisan, nonprofit initiative supported entirely by private donations, has charged itself with reducing the teen pregnancy rate by one-third by the year 2005. Founded in February 1996, the Campaign has just announced the first of many strategies to tackle the problem.

The Campaign aims to create a national consensus that unwed teen pregnancy is not acceptable. This is good news. Pregnancies among unwed teens place mother and child at high risk medically, socially, and financially. Meanwhile, the social costs of supporting unwed teen mothers continue to rise. So public attempts to restore a stigma against teen pregnancies are long overdue.

Just how the Campaign hopes to accomplish its goal, however, remains unclear. Will it focus on contraceptive education and availability, or will it acknowledge the legitimacy and success of the abstinence approach?

We'd better hope for the latter. Contraceptive education has failed to stem the tide of teen pregnancy. According to the Alan Guttmacher Institute, teen pregnancy rates increased an alarming 23 percent from 1972 to 1990—the period during which "comprehensive sex education" (read: contraceptive education) began and became widespread. In the meantime, we've created a public-health emergency. Not only are rates of teen pregnancy at a historic high, but a shocking one-third of the 20 million annual cases of sexually transmitted disease (STD) strike junior-high and high-school students, many of whom become sterile for life.

Now consider the programs that teach abstinence. In Washington, D.C., Elayne Bennett's Best Friends program is credited with slashing rates of sexual activity among teens from 71 percent to 3.4 percent in the schools that have introduced it. In one year, teen pregnancy rates also have dropped, from 20 percent to 1.1 percent. Teen Aid, a West Coast abstinence program, cut the number of teen pregnancies in the San Marcos, California, school district from nearly 150 a year to just 20. Perhaps this explains why welfare reformers in Congress last year managed to find $50 million to fund similar initiatives.

With the widespread failure of conventional sex ed and the growing success of abstinence education, advocates are poised to smash a paralyzing misconception about teenage sex: Although most parents would like their children to delay sex until marriage, they have been convinced that teenage sexual activity is inevitable and uncontrollable. This may come as a surprise to many, but raising teenagers to be sexually abstinent is a realistic goal. All the best research shows that parents are the single most important influence on whether their teens become sexually active. By some estimates, unfortunately, just 10 to 15 percent of today's youth have discussed sex with their parents, even though more than half of sexually active teens, according to a Roper Starch Survey, wish they could.

We are beginning to see a backlash against the notion that adolescent sex is inevitable. True, welfare directors and social scientists continue to dispute the power of an abstinence-only message. But a burgeoning cadre of school districts is embracing the abstinence approach. What follows is a look at several excellent school-based programs that can help parents persuade teens to abstain. They are all much more successful than government-funded approaches that emphasize contraception.

Parents have a duty to lobby their children's schools to offer character-based, abstinence education. But these resources are meant to augment, not usurp, the parental role. I believe that sex education is primarily a family issue. Unlike contraceptive-based sex education, effective abstinence education depends completely upon parental involvement.

A final word of advice: Parents can do a lot to help their children avoid the tragedy of premature sexuality. The key is to behave with utter consistency. It is self-defeating to tell teenagers to abstain, and then in the next breath advise them to use condoms *if* they choose to become sexually active. It's a dangerous mixed message that fuels risky behavior. "Many of my friends' parents say they don't want their kids to have sex," a teenage girl told the *Cleveland Plain Dealer*, "but if they do, to use birth control. By tacking on that 'if,' parents are telling teens that they don't really expect them to abstain."

Best Friends

Based in Washington, D.C., this program promotes abstinence in inner-city school districts by fostering self-respect and sound decision-making. Lack of self-respect often contributes to promiscuity and pregnancy. Without self-respect, according to the program's philosophy, it's hard to say no to anyone or anything. Best Friends

by Kristine Napier

Kristine Napier has been involved in abstinence education in Cleveland, Ohio, for more than six years. She is the author of The Power of Abstinence *(Avon Books).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is based on the concept that the best kind of friend is one who encourages you to make better decisions about your life. The components of the program include:

Group discussions. Girls meet with adult leaders every three weeks to discuss ways to develop a healthy, sexually abstinent lifestyle (as well as one that excludes drugs and alcohol). In addition to self-respect and decisionmaking, the discussions cover love and dating, friendship, physical fitness, nutrition, AIDS, and STDs. The leaders augment these sessions with videos and reading assignments.

Role-model presentations. Women from the community serve as role models for Best Friends girls, explaining how they have made important decisions in their own lives.

Mentor meetings. For at least 45 minutes a week, each girl meets with a teacher, administrator, or other school faculty member serving as her mentor.

Fitness and dance classes encourage the girls to value their overall health. Cultural events and service projects prompt them to explore their communities and set their sights on the wider world around them.

Unlike contraceptive sex ed, effective abstinence education depends completely upon parental involvement.

An evaluation released in early 1996 showed a decrease in both sexual activity and pregnancy rates. By the 10th grade, 71 percent of girls in D.C who did not go through the Best Friends program were sexually active—compared to just 3.4 percent of Best Friends girls. The pregnancy rate for girls in the program was 1.1 percent compared to 20 percent for girls who did not participate.

"This organization's goals are to produce classy, intelligent, respectful, and productive young women," wrote one eighth-grader from Jefferson Junior High. "All girls should go through a program like this, because Best Friends is all about making positive things happen."

Contact: Best Friends Foundation, 2000 N St. N.W., Suite 201, Washington, D.C. 20036. Tel.: 202-822-9266.

Project Reality

This Chicago-based model offers two programs that promote abstinence for junior-high and high-school students, "Choosing the Best" and "Facing Reality." Choosing the Best is a values-based curriculum that gives teens the information and training they need to discover for themselves that abstinence until marriage is the wisest choice. It accomplishes this through eight lessons designed to:

- Communicate the truth about the physical and emotional consequences of sexual activity;
- Build self-esteem so that teens value themselves and their power to make decisions;
- Teach them to resist pressure;
- Encourage open communication with parents.

Facing Reality teaches more than sexual abstinence; it also promotes abstinence from alcohol and drugs. Research reveals that students who are involved in one of these risky behaviors are generally involved in at least one of the others, so addressing all these behaviors together is key.

The program includes five lessons on human sexuality, five lessons on substance abuse and how it affects decisions to be sexually active, and five lessons on cultural influences that prompt a teen to be sexually active. The latter subjects demonstrate how movies and television portray sexual activity as desirable and free of consequence, how peers can push teens into activities they really don't want to do, and how teens can resist such peer pressure. Parents receive copies of the teacher's guide.

Both programs have been proven effective in changing teenagers' attitudes towards sex. Psychology researchers from Northwestern University's School of Medicine surveyed more than 1,500 students with an average age of 16 before and after they took part in Facing Reality during the 1993-94 school year. After the program, significantly more students said they believed that sexual urges are controllable, that there are benefits to waiting until marriage to have sex, and that even teens who have already been sexually active

Your Word Is Golden

As parents, we would never know that our word is golden with teenagers—but it is. Social-science research has confirmed that parental involvement exerts the most powerful influence on teenagers' decisions to avoid sex. As difficult as it is to broach such an emotionally charged topic, parents should start today. Their teenagers' futures depend on it.

Communicating at Home

- Expressing sexuality isn't just a personal right—it profoundly affects at least one other person's life. Saying no to sexual pressure is everyone's right.
- Sex is not the same as love and intimacy.
- Teenage bodies are ready for sex, but hearts and minds are not.
- There is a human dimension to sex. What makes us distinctly human—different from other animals—is that sex involves the whole person—the mind and the emotions.

The Power of Abstinence

While sex is powerful, abstinence is even more powerful. Choosing abstinence isn't just about saying no to sex, it is about saying yes to a healthier future and achieving greater life goals. Teenagers who choose abstinence have the power to:

- Learn the benefits of self-control and delayed gratification.
- Maintain control of their lives, avoid manipulation in relationships.
- Enjoy dating relationships more, because the pressure of having sex is off.
- Build a stronger foundation, increasing self-respect and gaining the respect of others.
- Achieve greater academic goals and enjoy extracurricular pursuits.
- Avoid regret, guilt, heart break, sexually transmitted disease, and pregnancy.
- Create more hope for their future, by learning how to build better relationships.
- Improve the odds that sex will be better in marriage.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

can benefit from a decision to stop having sex until marriage.

Northwestern's evaluation of Choosing the Best also found that students changed their attitudes toward abstinence. At-risk students showed the most significant improvement. The evaluation showed that 74 percent of all participants said the program convinced them to say no to sex before marriage; and that 60 percent of kids who were already sexually active before the program were, after the program, willing to say no to sex before marriage.

Contact: Project Reality, P.O. Box 97, Golf, Ill. 60029. Tel.: 847-729-3298.

Teen-Aid, Inc.

Teen-Aid, Inc., based in Spokane, Washington, offers several abstinence curricula for students in grades 5 through 12. "Me, My World, My Future" helps junior-high students understand the consequences of sexual activity. Lessons entitled "Right to Say No" and "Right to Be Free" advocate abstinence in an innovative and highly motivating manner.

The high-school course, "Sexuality, Commitment, and Family," is a values-based program that places human sexuality in the context of commitment, marriage, and family. Students come to understand sexuality as a vital part of identity and feelings of self-worth. They also gain an appreciation of the many benefits of remaining sexually abstinent. At the same time they become fully aware of the many risks of sexual activity.

Both programs emphasize and encourage parental involvement through informational literature for parents, called Parent Grams and Parent/Teen Communicators, that describe the day's lesson and suggest topics for parent-teen discussions.

In the school year before a junior-high school in San Marcos, California, introduced the curriculum, 147 girls became pregnant. Two years after the program was first adopted, the number plummeted to 20. An evaluation of students who completed the program in California, Idaho, Oregon, Mississippi, and Washington reports profound changes in attitudes about teexage sex.

Among the findings: Students were more likely to agree that abstinence was the best way to avoid pregnancy and STDs. They also affirmed that premarital sex was against their values and standards and it was important for them to avoid it. Participating students were more likely to reject the permissive notion that sex is OK if their partner wants it, if they are in love, or if they just use birth control.

Higher-risk students (those who had already engaged in sexual activity) responded well to the program. In fact, evaluations of the program in Washington, Oregon, and Idaho public schools found that although all student groups benefited, nonvirgins benefited the most. This belies the theory that teens, once they become sexually active, always remain so. Indeed, the researchers concluded that being able to influence nonvirgins is immensely valuable from a social policy perspective, because this group is most at risk from all the ill effects of sexual activity.

The Moon Area School District in Moon Township, Pennsylvania, for example, uses the Teen-Aid curriculum. Says school-district administrator Paul Gallagher, "We have selected the instructional materials of Teen-Aid to teach abstinence-based human sexuality to our students. We feel it is our job to support the family as the primary educator and have developed a partnership with the family to teach one message—abstinence—to our students on human sexuality. Teen-Aid helps us do that."

Contact: Teen-Aid, 723 E. Jackson St., Spokane, Wash. 99207. Tel.: 509-482-2868.

FACTS Project

FACTS Project (Family Accountability Communicating Teen Sexuality) offers separate age-appropriate curricula consisting of 30 to 40 lessons on friendship, sex and sexuality, values, risk-taking behavior, managing peer pressure, setting standards, respect, deferred gratification, setting goals, decisionmaking, and the advantages of choosing abstinence. For example, a session on "refusal skill techniques" teaches teens how to say no with body language and dress as well as with words. Concrete examples and role playing help teens apply skills. The program encourages parental involvement by providing a parents' guide. One parent wrote in an evaluation of the program that "FACTS draws kids and parents closer."

Many students, teachers, and medical professionals like William Toffler, a doctor and associate professor at Oregon Health Science University, attest that the FACTS Project is highly effective at fostering abstinence.

Contact: Northwest Family Services, 4805 N.E. Glisan St., Portland, Ore. 92713. Tel.: 503-215-6377.

RSVP

The Responsible Social Values Program (RSVP) "provides the students with irrefutable evidence that abstinence is the best possible choice for their future," writes Wayne Farinacci, the associate principal for curriculum at a suburban Cleveland high school, in his evaluation of the program. "This evidence is presented in a logical, factual manner without chastisement or feelings of guilt. RSVP gives our students a message counter to that of popular culture."

Utilizing three separate age-appropriate curricula for

Understanding Your Teen

Although their bodies are growing rapidly, their maturity isn't. Parents can communicate with their children about sex more effectively if they remember that:

- Teenagers are reorienting their world.
- Peer pressure is powerful.
- Teens are self-serving, each sex exploiting the other.
- There are nonsexual motives for engaging in sexual intercourse, including wanting to control another or to express independence.
- Teenagers are irrational, and nearly every teen emotion is powerful and exaggerated.
- Teenagers are risk takers.
- Teenagers need you—even when they say they don't. They need parental backbones to shape their own. If you, as parents, don't show backbone, why would they?
- They'll challenge and reject your authority, but they really do want it. In fact, they find security in it.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

students in grades six through eight, RSVP encourages teens to practice abstinence until marriage. The program emphasizes that saying no to sex outside of marriage means saying yes to a healthier, happier life and a future with greater opportunity. Dynamic classroom activities teach students ways to say no to sex and shows them the advantages of saving sex for marriage. RSVP also conveys lessons about the importance of family relationships, respect for others, and self-control.

Other exercises expose the high-risk nature of sex outside of marriage. In one activity, several students are invited to reach into a paper sack of wrapped hard candies and then eat the candy they retrieve. After chewing on the candy for a few minutes, they then throw it back in the bag. Other students are then invited to choose a piece of candy in the bag—an offer that they all refuse with comments such as "gross" and "I don't want something used with all those germs on it." Students soon realize that engaging in premarital sex means transforming themselves into a "leftover" and that they are exposing themselves to great physical danger.

A comprehensive evaluation of RSVP in August 1995 concluded that the program succeeds in influencing teens both to regard abstinence as the best choice and to begin to consider the involvement of their parents in this important topic as helpful instead of harmful.

Contact: RSVP, 2222 Issaquah St., Cuyahoga Falls, Ohio 44221-3704. Tel.: 330-940-4240.

Resources To Use at Home

Sex, Lies and . . . the Truth, a compelling video from Focus on the Family Education Resources. While this is a great video to show at home, I also recommend purchasing it and donating it to your school district. There are two versions, a public-school version and a Christian version. *P.O. Box 15379, Colorado Springs, Colo. 80935. Tel.: 800-232-6459.*

A Resource Guide for Character-Based Sex Education. *The Medical Institute for Sexual Health. P.O. Box 4919, Austin, Texas 78765. Tel: 800-821-3303.*

The Power of Abstinence by Kristine Napier (Avon Books). This guide teaches parents how to help teens postpone sexual activity. It provides all the facts to teach teens, as well as a communication guide. It's complete with conversations you can have with your teen, taking all the guess work out of what to say about sex.

Decent Exposure by Connie Marshner (Adroit Press) is another excellent guide for parents about sex, modesty, and sex education; helps parents evaluate sex-education programs in schools. *Available from Focus on the Family, 800-232-6459.*

Preparing for Adolescence by James Dobson, available as a book or an eight-cassette album. An excellent resource about adolescence intended for kids age 9 to 14; parents are encouraged to read or listen, too. *Available from Focus on the Family, 800-232-6459.*

Loving Well Project, a program that utilizes classic literature and fairy tales to help teens realize that sexual desires don't need to end in sexual activity. While this program is developed for classroom use, it is a fabulous one to use at home, too. *Contact Nancy McLaren, Loving Well Project coordinator, College of Communication, Boston University, 460 Commonwealth Ave., Boston, Mass. 02215. Tel.: 617-353-4088.*

AIDS/HIV News, a newsletter from Americans for a Sound AIDS/HIV Policy (ASAP); other publications are available. *Contact ASAP, P.O. Box 17433, Washington, D.C. 20041. Tel.: 703-471-7350.*

The Book of Virtues by William Bennett (Simon & Schuster). The bestselling collection of stories from literature that illustrate the virtues essential to good character. There's also a version for younger children.

The Moral Compass by William Bennett (Simon & Schuster). The companion volume to *The Book of Virtues*, this collection organizes its offerings by the stages in life's journey.

Questions about Your Subscription?

■ Change of Address

Please give us at least six weeks notice of your move. Simply call us or send in your old mailing label and your new address.

■ Duplicate Copies

If you receive two copies of the same issue, check both mailing labels carefully. Send us both labels, indicating which is correct.

■ Expiration Date

Your subscription expiration date is printed above your name on the mailing label.

■ Billing Problems

The fastest way to solve a billing problem is to call us at 1-800-304-0056. Or, write us at the address below.

■ Refunds

If you are dissatisfied with *Policy Review* in any way, we'll send you a refund for all unmailed issues. Please make your request in writing and include your mailing label. Allow 4-6 weeks for payment.

POLICY REVIEW
THE JOURNAL OF AMERICAN CITIZENSHIP

Subscription Department
P.O. Box 638
Mt. Morris, IL 61054
1-800-304-0056
http://www.heritage.org
e-mail: polrev@heritage.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

One Nation Under God

Tough Medicine For Welfare Moms

Jay and his eight-months-pregnant wife, Connie, both former crack users, moved into a temporary apartment managed by the Interfaith Housing Coalition, an employment and housing program for homeless families in Dallas. Within a week, Jay had broken one of the conditions for entering and remaining in the program: He was caught using drugs.

Jay got a stern warning from Ben Beltzer, Interfaith's founder, along with some help getting into a drug rehabilitation center. His wife and five-year-old son stayed in the apartment free of charge through the birth of the baby. Within two weeks of Jay's return, he was caught using drugs again.

A Dallas program uses teams of church volunteers to get the homeless into jobs and housing.

Now he comes to Beltzer with his daughter, thrusting the baby toward him and pleading, "You're not going to put her out on the streets, are you?"

Beltzer looks at him clear-eyed. "No. You are."

This may be one of the nation's toughest of tough-love approaches to helping the homeless. Participants are expected to complete educational training, get a job, find permanent housing, and save $1,200—all in three months. But for most of the 800 men and women who have graduated from the program, it was just tough enough. One independent study shows that two out of three graduates are still off the dole and off the streets two years later.

Some residents get the message even if they don't graduate. Within two hours of Jay's second drug infraction, the whole family had to leave the program. Connie learned the tough-love lesson from getting kicked out of Interfaith. Today, although Jay is still using crack, she is now clean. She has a job, her own apartment, and full custody of both her children.

Most of the residents at the Interfaith Housing Coalition, the majority of whom are welfare mothers, cannot turn their lives around without a great deal of help. They need more than job skills; they need basic life skills. Each Interfaith resident receives intensive individual attention from 10 people, who help lift them out of dependency. Two full-time staff members guide the daily job search, while two mentors coach each resident on employment skills. Two more mentors work with each resident on personal budgeting. Others teach family and parenting skills, nutrition, and comparative shopping. A case manager and child-care volunteers round out the team. The professional staff of 10 is augmented by 250 volunteers, who come from 28 Dallas congregations. Methodists, Presbyterians, Episcopalians, Southern Baptists, and Catholics work side by side. With 10 people helping each resident, it's all but impossible to fall through the cracks.

It's Not for Everybody

A few hours after arriving at the Interfaith Housing Coalition with her two young daughters, a young woman—let's call her Maria—is sitting in the comfortable living room in the agency's main building. She has spent the past three weeks in a home for battered women after leaving a nine-year marriage of physical, emotional, and sexual abuse. Starting over alone doesn't look easy, but she believes it's better than living in a domestic war zone.

Maria receives an introduction to Interfaith from Carter Holston, a longtime volunteer. "Interfaith is not for everybody," he tells her, explaining that the group requires a comprehensive interview, information about her family history, and a drug test. Applicants who test positive—as about 40 percent do—are referred to a drug-treatment program. They may not apply to Interfaith until they have kicked their drug habit. the program takes most of the remaining applicants if they show a flicker of willingness to be held accountable for their behavior. Maria shows that spark.

Holston is one of 250 volunteers, called "co-partners," who work with the full-time staff of 10. "We're nearly all volunteers," he tells Maria. "Nobody is paying us to come and be here. We're here for the right reasons—because we care about you. We get a lot out of seeing you succeed."

When Maria arrives at her apartment, one of 36 owned by the agency, she finds it tastefully furnished, with cheery lighting and pictures on the wall. The refrigerator and pantry are stocked with food. Dinner is ready, and her host family welcomes her to what will be her home for the next three months. She will pay no rent.

Tomorrow morning the staff will check to see if Maria and her children need medical care, dental work, or eyeglasses. If so, Interfaith will provide them. They will each receive three complete outfits of clothes and shoes, if they have none of their own, and one week of groceries. Maria will not receive money.

The following day, she will begin her job search in earnest. All residents must report each morning to the job-search area dressed appropriately and ready to work. Finding employment becomes their eight-hour-a-day job. Each resident occupies a cubicle with a telephone and a set of telephone directories. With the assistance of the staff, residents use a computer and a photocopier to prepare professional resumes and fax them to prospective employers. Each one must make at least five ap-

by Barbara von der Heydt

Barbara von der Heydt is a senior fellow at the Acton Institute for the Study of Religion and Liberty, in Grand Rapids, Michigan.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pointments by 11 A.M. and then spend the rest of the work day going to job interviews.

The staff and the employment co-partners teach the residents effective telephone manner, coach them on how to introduce themselves, encourage them to go out with a winning attitude, and help them deal with disappointment. Those with literacy problems seek work in cafeterias or dry-cleaning establishments while they learn to read.

The results are dazzling. Residents typically find jobs within 21 working days, most paying at least $7.50 an hour. Only full-time employment with benefits is acceptable.

Tough But Fair

Welfare recipients who land jobs, however, often have trouble keeping them; many still lack a work ethic or an ability to manage their personal finances. The Interfaith staff teaches these life skills. The residents, however, are not coddled. "They are taught to make choices," Beltzer says. "Tough love is adjusting to responsibility. For most of the residents, that involves a lot of adjusting: no alcohol, no drugs, no visits from the opposite sex. No fighting or guns. They have to come to class and to job search every day. They can't be late, and there are no excuses."

Of those accepted in the program, 70 percent make it through the full three months. Of these, all leave with a job and a place to live. They also leave with a changed attitude.

"I've learned while working with the poor that they don't want something for nothing," Beltzer says. "Their self-esteem grows when they give and when they work. No one has ever let them know the potential they have."

An Atlanta consultant came to Dallas to check Interfaith's reputation among welfare recipients and the homeless. He posed as a homeless man, didn't shower for two weeks, and talked to people on the street. The word on Interfaith, he reported, was that it is tough but fair. The street people told him, "If you don't want to get your act together, don't go."

Katrina, who has been a resident at Interfaith for two months, appears for her Thursday evening class on employment. She is one of the few residents who is married and living with her spouse. He has found a night job, and she has just started as a receptionist.

With two jobs, three kids, and no car, it's a logistical nightmare. Katrina is up at 5 A.M. and on the 6:11 bus with the children to drop them off at school and day care, before going to work. When she returns with them after 5 P.M., her husband has already left for work.

Jim Maloney, who meets with Katrina tonight, has been volunteering for the past five years. They discuss her apartment search. Early on, Katrina's mentors helped her set personal goals for independence: save $2,000, learn how to budget, and get a job. Now four weeks away from leaving the program, she has achieved the latter two, and is on the way to her savings target.

Learning to make a budget and stick to it was rough. "The way I spent before," she says, "I didn't know where it went." But for two months she has had to account in writing for every cent to her budget co-partners, who are tough taskmasters. "They drilled it into me," laughs Katrina. "Is it a need or is it a want?"

One study shows that two out of three graduates are still off the dole and off the streets two years later.

Hearing the Call

As welfare reform takes effect, Beltzer contends, the aid of religious communities is desperately needed. Their approach insists that alleviating poverty involves much more than providing education or job skills. It means addressing spiritual needs. "If the Spirit isn't at work in the staff and the volunteers," he says, "we're just another social service. We are Christ's people responding to a call."

Responding to the call quite often means healing broken lives. Adults and children alike arrive here battered not only in body but also in mind and spirit. Interfaith staff provide pastoral and therapeutic counseling.

The agency runs a deceptively cheerful play-therapy room for kids who have been abused. A therapist works with them to reverse the damage, assisted by volunteers whose task is to hold the children and rock with them. One volunteer comes to read to them, another teaches them tennis. "The greatest gift we have to give is love," Beltzer says. "Unconditionally."

Interfaith accepts no government money toward its $690,000 budget. Beltzer once returned a government check for $15,000, balking at the boxful of forms he had to fill out—and the regulations that went with it. "No way," he says. "There are too many strings." One string seriously harmful to the program would be removing the faith component. "Accepting government money would limit our ability to ex-

Photo by Sherilyn Smith

An Interfaith resident meets with two of her 10 mentors to learn home budgeting.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

press our faith. We're not just doing social service," he says. "We're doing this because we're Christ's people and following our Lord. That's why it's so successful."

Another problem would be enforcing accountability. Interfaith residents who miss classes or do drugs are told to leave the program. Not so with government-subsidized programs. Says Beltzer, "If I accepted government funding, they would require that I go through an eviction process," undermining the program's emphasis on consequences.

The agency's tough-minded approach is gaining ground. There are now 14 transitional housing programs in other cities emulating the Interfaith model. It has been singled out by IBM as one of six exemplary charity programs in the country. It was selected to receive the top 1996 Samaritan Award, along with $10,000, from the Acton Institute for the Study of Religion and Liberty, in Grand Rapids, Michigan.

Interfaith stays in touch with former residents, offering help and continued friendship. Many return for visits, including Linda, a woman Ben had booted out of the program. "Why did I kick you out?" he asks, trying to place her among hundreds of former residents.

"Because of drugs," she says. "And I want to thank you."

Linda and her husband had been living in one of the agency's apartments for a month when both were caught using drugs. When they refused to leave with their three children, Beltzer called the police.

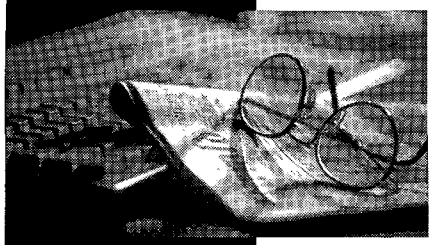
Two years on the streets, however, convinced Linda that Beltzer and his colleagues were right: "If things were going to change, I had to change." She checked herself into a drug rehab program and kicked her drug habit. She eventually left her addict husband, who is now in jail. Today Linda has found a job, left welfare, and regained custody of her children.

She tells Beltzer: "You are the only people who held my feet to the fire and didn't tolerate my behavior."

Interfaith has prepared a manual including applications, training materials, curriculum for budgeting and employment classes, and their blueprint for starting a program. For further information: Interfaith Housing Coalition, P.O. Box 720206, Dallas, Texas, 75372-0206. Tel.: 214-827-7220, fax: 214-827-1347.

Cal Thomas
William Buckley
Pat Buchanan
Ariana Huffington
Thomas Sowell
Robert Novak
Suzanne Fields
Tony Snow
...and many more!

Imagine.
All your favorite columnists in one place.



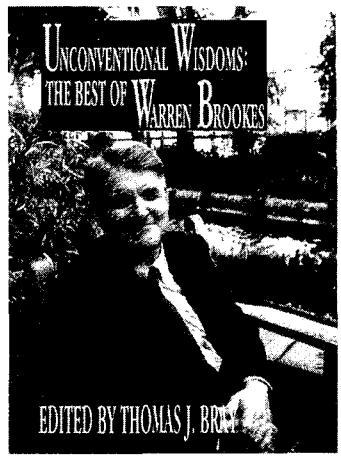
Your Desktop.

The Conservative Current is a subscription feature of the website Town Hall, the largest conservative site on the web.
The Conservative Current subscription rates: $25 for 6 months, $40 for 12 months. To subscribe, visit www.townhall.com and click on *The Current*.

Now, with access to the World Wide Web, nationally syndicated columnists are just a click away—unedited, uncut, and available to you at or before the time they appear in print.
The Conservative Current gives you access to unedited columns of major conservative thinkers and *The Current's* private online discussion forum. Subscribe to *The Conservative Current* today!

TOWN HALL
Explore The New Conservative World
www.townhall.com
Town Hall, Inc. 214 Massachusetts Ave. NE Washington, DC 20002

Unconventional Wisdoms: The Best of Warren Brookes
Edited by Thomas J. Bray



This book is a collection of Warren Brookes's work compiled and edited by his *Detroit News* editor, Thomas J. Bray. Warren was a staff writer for the *Detroit News* and a columnist for the *Washington Times*.

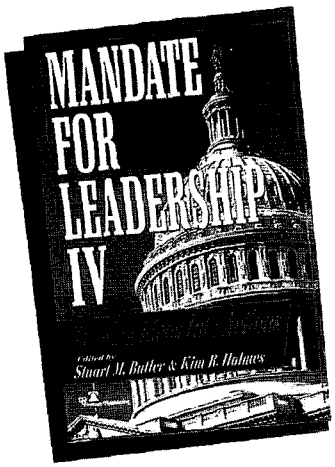
From his indefatigable fact-gathering, Warren showed that much of what the experts had to say seemed badly out of step with reality. He made a virtual career out of debunking the conventional wisdoms. His nationally-syndicated column presented the unconventional wisdom not only about economics but a wide range of subjects, especially environmentalism. Many of the articles collected here have a timeless quality, and are a journalistic model to be emulated.

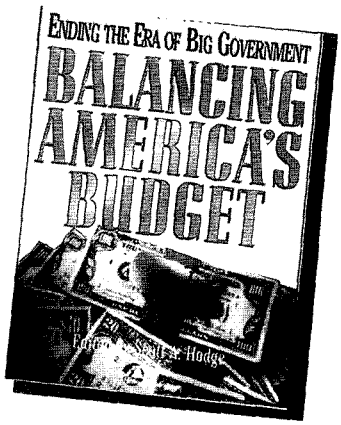
ISBN#0-936488-83-2, 302 pages, paperback $16.95

PACIFIC RESEARCH INSTITUTE FOR PUBLIC POLICY
755 Sansome St., Suite 450 San Francisco, CA 94111
1-800-276-7600 or 415-989-0833 Fax: 415-989-2411
E-mail: PRIPP@aol.com http://www.ideas.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NEW FROM THE HERITAGE FOUNDATION





MANDATE FOR LEADERSHIP IV

TURNING IDEAS INTO ACTIONS

The fourth in the **Mandate for Leadership** series, ***Turning Ideas Into Actions*** is the first Mandate aimed primarily at Congress. **Mandate IV** is a doer's guide that looks at lessons learned and lays out a practical strategy to achieve the goals and reforms that conservatives supported and voted for in both the 1994 and 1996 elections.

$24.95 softcover, $29.95 hardcover

BALANCING AMERICA'S BUDGET

ENDING THE ERA OF BIG GOVERNMENT

This comprehensive handbook offers substantive policy recommendations to balance the budget and reduce the size and scope of government. Heritage experts show Congress and the Administration how to cut waste and create a more efficient, more focused, and less expensive federal government.

$24.95 softcover

NEW ARRIVAL: THE GUIDE TO PUBLIC POLICY EXPERTS, 1997-98 EDITION

The 14th edition of this reference book indexes national policy groups, scholars, and activists who share in Heritage's mission of promoting conservative principles and ideas. This concise directory is useful for locating experts on a full range of public policy issues, foreign and domestic.

$16.95 softcover

FOR ALL HERITAGE RESEARCH PAPERS VISIT OUR ONLINE LIBRARY : WWW.HERITAGE.ORG

◆ CALL 1-800-544-4843 OR USE THE ORDER FORM BELOW ◆

Mail to: Publications Dept. ◆ 214 Massachusetts Ave., N.E. ◆ Washington, D.C. 20002-4999

Name

Company

Address

City State Zip

(Area Code) Phone Number

Book Selections: *(price includes shipping & handling)*

Total Amount

❑ Visa ❑ Mastercard ❑ American Express

Signature Exp. Date

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Blessings of Liberty

AN APPRECIATION OF ECONOMIC FREEDOM

The Market's Secret Weapon

During last year's election campaign, voters endured much hand-wringing about the plight of the American worker. Remember these often-repeated themes?

International trade harms average Americans by pitting them against low-paid workers in other countries.

In an era of corporate downsizing, workers no longer have the opportunity to find good jobs at good wages.

America's living standards are stagnating or declining, making the American Dream seem more like a nightmare.

Politicians of all ideological stripes sounded these themes, and their complaints were echoed in the nation's media. But all these ideas are espoused by people who either misunderstand economics or favor government intervention over the workings of free enterprise. They all fundamentally ignore the most important economic factor in a modern, competitive economy.

If we want a better standard of living for ourselves and our families, the most critical goal is to increase productivity—the value of goods and services that each worker produces. Here's why: Americans have come to expect ever-increasing incomes to raise their living standards. But a company that consistently pays workers more than their output is worth is likely to go under—and destroy its jobs along with it.

Labor costs are the largest component of the price for most goods and services. So when the work force as a whole consistently gets pay raises that exceed growth in its productivity, inflation results. Conversely, if firms try to suppress wage growth while productivity stagnates, the prospect of rising living standards disappears. Doing what you're already doing, only better and cheaper, may not be that exciting, but it is the crux of the American Dream.

The Good News

The good news is that American workers continue to be the most productive in the world. America retains an important advantage over most other societies: We are more friendly to free enterprise. Competitive markets force businesses to seek higher productivity. There are only a certain number of hours in the workday, and a relatively limited number of workers available at any one time to produce goods and services. You can try to lure people away from competitors and have them work overtime, but this is a costly solution. It is far better to get more output from each worker.

Those who fret about the plight of U.S. workers overlook America's huge advantage in productivity.

As long as the U.S. work force keeps improving its productivity, employees will enjoy rising incomes. For years, statisticians have computed "real" (inflation-adjusted) wages using the Consumer Price Index, which we know now exaggerates changes in the cost of living. If you recalculate inflation according the recommendations of the recent presidential commission of eminent economists, the decline in real worker wages since 1973 proves to be a healthy increase.

For all the fretting about America's losing ground to trade competitors, international data show that U.S. workers remain extremely productive. Harvard economist Dale Jorgenson estimates that U.S. productivity is 10 to 15 percent higher than Japan's and is growing just as fast. In manufacturing in particular, America has no equal; since 1982, the average cost per unit of factory output fell in the United States but rose in France, Japan, and Germany.

There is a reason why Haiti and Bangladesh are not manufacturing powerhouses, despite their low wages. It is the output per worker, not the cost per worker, that matters. Paying a worker 25 percent less to make 50 percent less product is no savings. That's why the name of the game in economic development is improving productivity, not creating jobs as such—or protecting them through trade barriers.

For example, while apparel manufacturing has, indeed, migrated overseas in recent years, textile plants largely have not. The thread used to make the socks is still made in America, because we are much more cost-effective. Using new technologies, we can make better textiles at lower cost while paying textile-plant workers well.

So what's the outlook for the U.S. worker? There has been much fluctuation in U.S. productivity recently, leading analysts to disagree over the prospects of significant progress in the near future. I think there is plenty of reason to be optimistic, particularly as the computer and information revolutions continue to shape the economy.

Technology Trendsetters

Consider the experience of Timken Steel in Canton, Ohio. Using new software to predict production needs more accurately, Timken was able to streamline its procurement and manufacturing process, increasing output by 15 percent without investing in new plant and equipment. Installing the new software cost a couple of million dollars; getting the same benefit by expanding plant and equipment would have cost $20 million to $30 million.

With the aid of computers, Herman Miller, a furniture maker in Zeeland, Michigan, reduced by 20 percent the time it takes to deliver a product from the moment the company receives the order. Speeding up delivery times means that the company is able

by John Hood

John Hood is the president of the John Locke Foundation, in Raleigh, North Carolina, and the author of The Heroic Enterprise: Business and the Common Good *(Free Press).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to fill more orders during the same period, thus increasing output per hour.

Computers also allow managers to devise new ways of organizing workers. *Business Week* reports that in 1994 and 1995, auto-glass installer Safelite Glass Corp. of Columbus, Ohio, used a computer system to monitor inventory and installation times. The study convinced the firm that it was compensating workers inefficiently. Managers offered glass installers a choice between earning their current wage (a minimum of $11 an hour) or earning $20 per unit installed. When workers had the chance to earn more by working faster, output per worker rose by 20 percent. Workers reaped half of this gain immediately in the form of an average 10 percent pay raise, while strengthening their employer's competitive position.

GTE, a telephone company, increased productivity significantly when it gave repair crews laptop computers. They planned their daily schedules more efficiently and gave customers more accurate service appointments. Ultimately the firm reduced administrative its costs and served growing populations with the same or fewer service people.

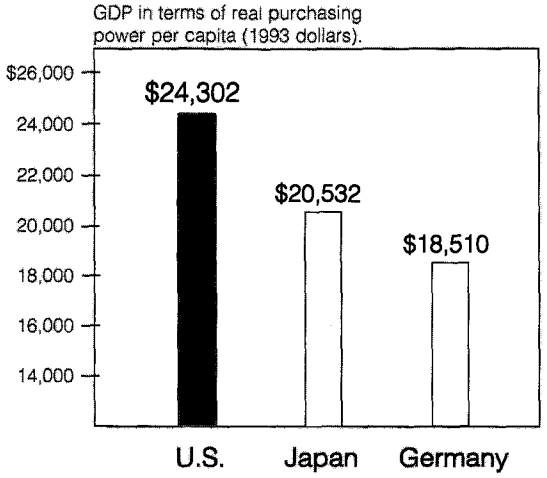
Investment in technology isn't the only way to boost productivity. Many firms find that training workers to be better at what they do is money well spent. One study by the U.S. Labor Department found that increasing the average educational level of manufacturing working by one grade level typically increased productivity by 8 percent.

Motorola, a leading manufacturer of cellular and paging equipment, has long tied its fortunes to an intensive training effort for its workers and suppliers. So has Pitney Bowes, the world's largest maker of postage meters and mailing equipment. At its Stamford, Connecticut, plant, the company collaborated with a local community college to design a curriculum that gave workers basic literacy and math skills and showed them how to order materials, monitor product quality, and work better in teams. The result: higher output and fewer mistakes.

Increasing output per worker may mean that a business needs fewer workers. But it's important to remember that businesses have not only a right but a social duty to adjust their work force to their current needs, as long as the changes result from true productivity gains, rather than hysteria, and are handled with compassion. Economists with the Federal Reserve Bank of Dallas recently examined the records of the 10 corporations with the most layoffs from 1990 to 1995. They found that, while employment fell by nearly 30 percent in these companies, their output declined by only 10 percent. In other words, these firms on average increased their output per worker by 28 percent, compared with a productivity gain of only 7.5 percent over that period for the economy as a whole. McDonnell-Douglas and Digital Equipment each halved its work force and increased output per worker by 43 percent and 82 percent, respectively.

Setting the (Living) Standard

America's place as the world leader in both living standards and worker productivity is reflected in its high per-capita gross domestic product.



Source: *Statistical Abstract of the United States, 1995.*

The Productivity Payoff

For average workers and families, are these reports of corporate downsizing good news or bad news? Those who were laid off have, by and large, found new jobs. According to the Bureau of Labor Statistics, most of these jobs pay at least what the workers were previously earning, or will pay such a wage after a few years of retraining. For consumers and employees as a whole, the effects are less ambiguous. Productivity gains of 20 percent or more since 1990 at such firms as K-Mart, IBM, and General Motors mean better clothes, computers, and cars at lower prices. Our standard of living rises when the goods we buy are better and more affordable.

Growth in productivity makes possible wage increases without high inflation. And there's something to be said for the higher profits brought by productivity gains, now that many working Americans invest in stocks to save for retirement or for their children's education. Profits represent the seed corn of future investments to boost productivity.

All this doesn't mean the productivity picture is uniformly rosy. Since 1973, living standards have continued to rise, but not as quickly as in the years after World War II, when the U.S. enjoyed competitive advantages over nations ravaged by war. Today, two things threaten future productivity growth: poor education and excessive taxation. Innovations in technologies and management strategies depend on a work force that is sufficiently educated to take advantage of them. But declining proficiency in reading and math suggest that the promise of a higher standard of living is in peril. And the punitive U.S. tax system taxes investment two, three, or four times, thus stunting the development of new and better technologies that make companies more productive.

Luckily, it doesn't take huge annual productivity gains to enrich society. Even modest improvements in educational preparation and the tax treatment of productive investment would yield tremendous benefits. The key is time. A boost in productivity growth of just 0.5 percent a year would add up to about $300 billion in increased economic value over a decade.

At the dawn of the Industrial Revolution in the late 1700s, the nation raised its productivity at an annual rate of 0.5 percent. At that rate, it took six generations to double a person's income. But during the first three-quarters of this century, when productivity rose 2.25 percent a year, it only took one generation. Clearly the best thing the American enterprise system can do for its workers is to continue to demand the innovations, investments, and training that make them the most productive in the world.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The **Quota** *Czars*

By Jessica Gavora

The Civil Rights Act of 1964

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance."

The ACLU endorsed it.

The California Civil Rights Initiative of 1996

"The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting."

The ACLU calls it unconstitutional.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The ACLU betrays its historic commitment to individual liberties by defending racial preferences.

The ACLU has some smart lawyers. The problem is they don't seem to realize—or care—that their tactics and objectives represent a betrayal of their historic mission.

Consider: Last year, six months before Californians were set to vote on a state ballot initiative outlawing governmentally imposed race and gender preferences, a group of ACLU lawyers intervened in an unrelated case in which a white San Francisco contractor was challenging a city statute that mandated set-asides for women and minority contractors. There was nothing unusual about the case; the San Francisco law had been challenged many times over the years. One factor, however, prompted the ACLU to intervene: The case was being heard by a federal judge named Thelton E. Henderson.

Henderson, it is now well known, is an old friend of the ACLU, having served on the board of its Northern California affiliate in the 1970s. The ACLU lawyers knew that by making themselves a party to Henderson's San Francisco contracting case, they could exploit a loophole in the rules of federal district court that encourages the consolidation of similar cases under the same judge. The case they actually had in their sights, the law whose fate they wished to influence was, of course, the California Civil Rights Initiative (CCRI).

The day after the ballot initiative (also called Proposition 209) was approved, the ACLU filed suit to challenge its constitutionality. Never mind that the measure had been approved by a majority of the state's voters. Never mind that the initiative's language self-consciously echoes the 1964 Civil Rights Act, one of the most constitutionally secure laws in modern history. Never mind that the San Francisco and CCRI cases had little in common except the ACLU's participation. The organization's goal was to overturn the new law by getting one of its favorite sons to hear the case.

The strategy worked: After initially being assigned to another judge, the CCRI lawsuit was transferred to Henderson. Three weeks after the election, he stayed enforcement of the CCRI. Then, in late December of last year, Henderson made that injunction more permanent, barring the state of California from enforcing the measure until its constitutionality can be determined.

Without doubt, the ACLU has some savvy litigators. What the 77-year-old organization now lacks, however, is a colorblind commitment to the principles of individual liberty that gave it birth.

The Old Days

The American Civil Liberties Union is the nation's largest public-interest law firm. It has a network of affiliates in more than 300 cities, towns, and hamlets in all 50 states. Its staff of more than 60 attorneys is supplemented by a volunteer force of litigators numbering at least 2,000. Its lawyers churn out almost 6,000 lawsuits a year, many of them high-profile, controversial cases.

For most of its history, there has been an admirable, if infuriating, consistency to these cases. If a seventh-grader shows up for class wearing a T-shirt that reads "Drugs S - - k," the ACLU will defend his free-speech right to wear it; if the Ancient Order of the Hibernians wants a parade on St. Patrick's Day that excludes groups representing Irish gays and lesbians, the ACLU will defend its right to do so under the freedom of association guaranteed by the Constitution. Some of the ACLU's cases seem designed to be provocative, such as its high-profile defense in 1977 of neo-Nazis who wanted a permit to march in the predominately Jewish town of Skokie, Illinois. Most of its cases address issues at the heart of public debate, such as its current legal battle to prevent "censorship" on the Internet.

When the ACLU last made national headlines, it was as ammunition in the war of ideological symbols that was the 1988 presidential campaign. In response to Democratic nominee Michael Dukakis's ill-advised assertion that he was proud to be a "card-carrying member of the American Civil Liberties Union," George Bush and his campaign wizard Lee Atwater set out to make 1960s-style liberalism synonymous with "four little letters: A-C-L-U." The Union, they charged, was so blindly committed to freedom of speech that it would have your children strolling unimpeded into, even starring in, X-rated movies. It was so wedded to due process that it valued the rights of criminals over those of victims; and so enamored of the Establishment

Illustration by Robert Johannsen

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Clause of the First Amendment that it would strike "In God We Trust" from the currency.

Still, no matter how controversial the case, the ACLU can usually trace its jurisprudential reasoning to the Bill of Rights. It is here, in defending the tenuous liberties of the individual against an overweening state, that the ACLU has traditionally found its *raison d'être.* "In every era of American history," the ACLU proudly proclaims on its World Wide Website, "the government has tried to expand its authority at the expense of individual rights. The American Civil Liberties Union exists to make sure that doesn't happen." For the most part, the ACLU has made good on this promise. Thanks in part to its tireless defense of the Bill of Rights, Americans can (and do) take many of these rights for granted. Although it has been widely regarded as a liberal organization, many of its libertarian commitments have hardly hewed to liberal positions.

It is surprising, then, that many of the ACLU's one-time friends and sympathizers have concluded that it has found its new calling, not in the advocacy of individuals, but of groups. The ACLU's challenge to the CCRI, they aver, represents the affirmative betrayal of its core principle: that rights accrue to individuals and must be protected accordingly.

The ACLU now inhabits a world where ending discrimination by race or gender is itself "discrimination."

"They have turned equal protection on its head," says Clint Bolick, the vice president of the Institute for Justice, a libertarian public-interest law firm. The organization that describes itself as "the nation's foremost advocate of individual rights," he charges, is now little more than an interest group for identity politics. "They have become a sectarian organization," agrees libertarian newspaper columnist Nat Hentoff, a former ACLU activist. "They complain about Ralph Reed and the Christian Coalition, but the ACLU is just as rigid as they are. A friend of mine calls them the 'religious left.' "

These ACLU sympathizers offer a tale of a once-proud defender of individual rights now devoted to their antithesis: group preferences. Unable to abandon its rhetorical commitment to civil liberties but forced by its political agenda to defend counting by race and gender, the ACLU has leaped through the legal looking glass. It now inhabits a world where ending discrimination by race and gender is "discriminatory," and equal protection under the law means preferential treatment of women and minorities. It is a world, according to California attorney general Dan Lungren, where Humpty Dumpty's admonition to Alice serves as a credo: "When I use a word, it means just what I choose it to mean—neither more nor less."

The Civil-Rights Union

For several decades following its establishment in 1920, the ACLU referred most of its civil-rights cases to the NAACP, with one notable exception. In 1931, it defended seven blacks accused of raping two white women in Scottsboro, Alabama. As white mobs gathered outside the courtroom crying for a lynching, the defendants were convicted. Later, however, the ACLU succeeded in having the conviction overturned by the Supreme Court because no blacks had been called to sit on the jury. Their victory for due process in the "Scottsboro Boys" case was an important early advance for civil rights.

Bolick calls the period from 1954 to 1964 the ACLU's "golden decade," a time in which free speech, due process, and civil rights advanced dramatically with the help of the ACLU. In 1954, in *Brown v. Board of Education,* the Union filed an *amicus* brief in support of Thurgood Marshall and the NAACP, which argued for the desegregation of public schools. During much of this time, as well, the organization opposed governmental classifications on the basis of race. It argued against requiring citizens to identify their race on U.S. census forms because questions regarding race "could easily raise in the minds of many people the specter of some threatened discrimination." This stance reflected the ACLU's interpretation of the 13th, 14th, and 15th amendments. The Constitution, they maintained, required "treat[ing] everyone on the basis of individual merit and demerit, not of accidental membership in any group." As late as 1956, the ACLU recommended that federal funds should be withheld from "all schools and colleges which refuse, on racial grounds, to admit otherwise qualified students."

In 1964, the ACLU fought hard for passage of the Civil Rights Act, hailing the law as "the most sweeping civil-rights measure since Reconstruction." But as its promise of equal opportunity failed to yield equal results, the ACLU drifted, with the prevailing political currents, farther and farther from traditional notions of civil liberties. Gradually, its defense of civil liberties was transformed from an end in itself to the means toward the construction of an egalitarian social order.

Students of the ACLU's history disagree over the exact moment at which this critical change occurred, but on one thing they are agreed: The organization's embrace of racial preferences represents a fundamental break with its civil lib-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ertarian past. For Clint Bolick, the critical moment came in 1977, when the ACLU took the side of the University of California at Davis in Allan Bakke's racial discrimination lawsuit, the landmark Supreme Court case that opened the door to racial quotas in college admissions.

According to Bill Donohue, the author of *Twilight of Liberty: The Legacy of the ACLU,* the betrayal of principle came earlier. Gradually, over the course of the 1960s, writes Donohue, the ACLU switched its civil-rights focus from equality of opportunity to equality of results. In 1964, just as the Civil Rights Act was being passed, it condoned "temporary" hiring quotas in organizations with a history of racial discrimination. It continued to reject "reverse discrimination," however. Its 1966 policy guide condemned "the exclusive recruitment of members of a minority group" as "no less evil than any other kind of discrimination, and is certainly just as contrary to the spirit of civil liberties." But by 1971, this objection had been dropped.

The ACLU's ultimate embrace of racial quotas reveals the triumph of politics over constitutional principle. The minutes of a board meeting in December 1972 present the following arguments to support quotas: "'Quota' is a code word like 'busing.' To be against busing is to be against blacks; similarly, to be against quotas is to be against the aspirations of blacks and other minorities to achieve equality in employment. It would be disastrous for the ACLU to align itself with the anti-quota crusade." The minutes go on to declare that, "Although quotas may be suspect according to civil-liberties logic, it has been the experience of the civil-rights struggle that statements of good intention in the abstract are not particularly effective."

American politics have changed since 1972, and the ACLU's rhetoric has kept pace. Today, its policy on affirmative action is careful to avoid the word "quota." It insists that affirmative action is not discriminatory and that "goals and timetables . . . are not the same thing as quotas." And in a qualification that dates from the early 1960s, the group insists that affirmative action must be "temporary, lasting no longer than necessary to remedy the discrimination."

But just as soon as the ACLU has convinced us of its aversion to "quotas," it endorses them as a necessary mechanism for social leveling. With breathtaking indifference to half a century of jurisprudence holding that racial classifications are by their nature suspect, the ACLU maintains that employers and universities "have always engaged in forms of 'preferential treatment'" by granting preferences to veterans and the children of alumni, for instance. Discrimination may be wrong, the ACLU seems to be saying, but everyone's doing it. Why not government, too?

Civil libertarians insist that they haven't changed—the ACLU has. Part of that change, according to Nat Hentoff, may be due to a new generation of leaders who were attracted to the organization for reasons other than a dedication to civil liberties. In the 1970s, the national organization first propounded an internal diversity policy that mandated quotas for women (50 percent) and minorities (20 percent) on its staff and its board of directors. It was also at this time, according to Hentoff, that the national headquarters sent a directive down to the state affiliates foisting diversity upon their boards, as well. For the first time, criteria other than a devotion to civil liberties—specifically race and gender—governed the selection of officers. The result, critics charge, can be seen in the ACLU's policies and litigation.

The ACLU's 1966 policy guide condemned "the exclusive recruitment of members of a minority group" as "no less evil than any other kind of discrimination."

The effort to maintain "diversity," of course, is an ongoing one. When ballots go out for the election of at-large members to the national board, they contain notices reminding voters of the national board's affirmative-action "goals." In addition, a former state director and current ACLU member testifies that the state affiliates are surveyed regularly to ensure they contain the requisite variety in skin pigmentation and chromosomes. A finding of an "absence of diversity" can lead to "questions" from the home office. Compliance is voluntary, mostly. "But that does not mean that there are not times when questions get raised that cause there to be a feeling of pressure," says the former state chair, who adds hopefully, "It's all part of consciousness-raising."

Left Turn

For a cadre of committed civil libertarians now in their 60s and 70s, their attachment to the ACLU could survive Skokie, but it has not survived the organization's support of group preferences. They joined the ACLU in the 1940s and 1950s out of a commitment to the First Amendment and to due process of law, but watched in anguish as it became increasingly preoccupied with a political agenda thinly cloaked in the rhetoric of civil liberties. Some, like Nat Hentoff, have traded in their ACLU cards to spend their careers defending civil liberties from outside of—and often in defiance of—the ACLU. In a cogent foreword to Donohue's book, the late Aaron Wildavsky argued that it was the ACLU's perversion of American ideas about equality that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

led to his estrangement from the ACLU. "Civil liberties had been stood on their heads," he wrote. "Increasingly, unceasingly, equality of condition was viewed as a precondition of equality of opportunity." This reversal of means and ends, he wrote, "not only sought to diminish differences among Americans in general" but also stripped civil libertarianism of the principles that distinguished it from pragmatic politics.

Others, like Carl Cohen, a professor at the University of Michigan and a former director of the Michigan state ACLU, remain with the organization in spite of its support for race and gender preferences. Cohen, who is Jewish, stuck with the ACLU through the trauma of Skokie. "My heart is with the ACLU," he says, but it is "dead wrong" in its support for preferences. "How to account for this paradox?" he says. "Their social-welfare objectives have made them lose sight of civil liberties. The defense of the rights of citizens means equal protection under the law. Affirmative action discriminates by race."

Still others, like Benson Wolman, seem uncomfortable with the ACLU's position but are unwilling to criticize it explicitly. Wolman is a former member of the ACLU's national board and was the Ohio affiliate director from 1969 to 1986. He, like many of his generation, joined the ACLU in the 1950s to defend First Amendment rights and due process and has stayed on as what he calls "equal protection issues" have come to dominate the agenda. Although he sacrificed his seat on the national board of directors out of a concern for diversity (he was the third white male in a row to hold the seat), he is "uneasy" about race and gender preferences. He disagrees with the ACLU's national diversity policy, arguing that it should be less explicit and more voluntary, like his own sacrifice to multiculturalism. "I don't like the word 'quota,'" says Wolman. "Being Jewish, I know that that is something that has been used against Jews."

The essence of the ACLU's argument is that mandating nondiscrimination in the state constitution violates the rights of women and minorities because it makes it harder to secure state-sanctioned discrimination.

When she was elected its president in 1991, former NYU law professor Nadine Strossen was widely seen as a leader who would take the ACLU back to its civil libertarian roots and reverse its sectarian slide. Strossen, according to Clint Bolick, is "the best thing that's happened to the ACLU in a long time." In her 1994 book, *Defending Pornography*, she broke with the ACLU's allies in the feminist movement to mount a defense of pornography on free-speech grounds. She has also shown a propensity, previously unseen in the ACLU, to include certain economic issues like property rights within the legitimate defense of civil liberties.

But Strossen has been silent on the issue of group rights. She refused to be interviewed for this article, and database searches of media sources produce no clues of her opinion of race and gender preferences.

California Scheming

Simple in its wording, revolutionary in its effect, the California Civil Rights Initiative, as its opponents knew, was being watched by the entire country in 1996. Deliberately composed to mirror the wording of the 1964 Civil Rights Act, the CCRI would amend the state constitution to prohibit California or any of its political subdivisions from "discriminat[ing] against, or grant[ing] preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin." It was approved by 54 percent of California voters, including 27 percent of blacks and majorities of white female and Asian voters.

The ACLU's two California affiliates filed their lawsuit challenging the CCRI under the aegis of something called the "Coalition for Economic Equity." The national ACLU, not formally a party to the suit, has put out press releases supporting it. According to its brief in *Coalition for Economic Unity v. Wilson*, the ACLU objects to the CCRI because it "places special burdens on racial minorities within the governmental process" by forcing them to amend the state constitution in order to secure preferential treatment. Distilled to its essence, their argument is that mandating nondiscrimination in the state constitution violates the rights of women and minorities to the "equal protection of the laws" guaranteed by the Fourteenth Amendment—that is, is itself discriminatory—because it makes it harder for them to secure state-sanctioned discrimination. While other groups (the ACLU's favorite whipping boys are privileged whites, veterans, and children of university alumni) may secure their piece of the identity-politics pie by merely lobbying local and state officials to legislate and regulate, only women and minorities are forced to undertake the "Herculean task" of amending the state constitution to get theirs.

The tortuous logic of the ACLU's position—that nondiscrimination is discriminatory—frustrates those who are attempting to rebut it. "You find yourself having to resort to mindboggling triple negatives to counter their arguments," says one attorney. "It's like playing Twister with a contortionist."

But the ACLU is not aiming solely to block the implementation of the CCRI in California.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Its lawsuit is designed to slow the grassroots momentum for anti-preference initiatives nationwide. Following the election, the *New York Times* reported that the vote in California had "energized similar efforts by opponents of affirmative action in about two dozen states." On January 29, the Clinton administration formally allied itself with the ACLU in the case. In a brief signed by Isabelle Katz Pinzler, the acting assistant U.S. attorney general for civil rights and the former director of the ACLU's Women's Rights Project, the Clinton administration adopted not only the cause, but also the questionable constitutional arguments, of the ACLU. California governor Pete Wilson, a strong supporter of the CCRI, remarked that the Clinton administration "now has the dubious distinction of being the first administration since the enactment of the Civil Rights Act of 1964 to contend that a law prohibiting all race- and gender-based discrimination is itself unconstitutional."

"Now, if you really want a civil-liberties union," says a former state director, "you almost have to go out and find another one."

Judge Henderson's preliminary injunction is now being considered by a panel of three Republican-appointed judges on the 9th Circuit Court of Appeals. Early indications are that the panel is less receptive to the constitutional contortions of the ACLU than was Henderson. But even if the panel were to lift Henderson's injunction, the question of the constitutionality of the CCRI will still be litigated.

"The constitutional cloud is going to hang over the CCRI until the issue is resolved by the Supreme Court, which will be years," says Richard Morgan, an authority on constitutional law at Bowdoin University. "The defenders of affirmative action are going to use this in every state legislature in which one of these [anti-preference initiatives] is brought up—someone's going to pop up and say, 'Wait for the resolution of the California case, we don't know whether this is constitutional.' "

And the odds are good that, when voices are raised in the states against ballot initiatives that would ban preferences, they'll be speaking in concert with the ACLU. Ward Connerly, the chairman of the CCRI campaign, has vowed to take his crusade against race and gender preferences nationwide, and the ACLU has promised to fight him every step of the way. Earlier this year, Connerly started the American Civil Rights Institute to promote anti-preference initiatives in the 50 states. Dorothy Ehrlich, the executive director of the ACLU of Northern California, responded by calling this a "cynical strategy" to "take away the government's ability to ensure equality for women and minorities" and vowed to "continue our efforts to prevent further legislative proposals which threaten civil rights on the state and national level."

Whither the Nation

Harvard professor Harvey Mansfield calls affirmative action a "regime question," one that tells us something about the condition of the polity and, in the words of Lincoln, "whither we are tending." The ACLU has always been in the business of answering regime questions. In 1964, according to its annual report, it "mustered all its strength" to see the Civil Rights Act enacted into law. Today, it is leading the courtroom battle against virtually the same language made law by the voters of California.

The substance of the question—whether we will tolerate discrimination on the basis of race—has changed little in the past 33 years. The ACLU's response, however, has changed from a firm "no" to an equally emphatic "yes." The implications for the republic are serious. "We are committed at some quite fundamental level of our government to the proposition that advancement and sorting and selection should be by individual merit," says Bowdoin's Morgan. "As a practical matter, either we've got to get back to that pretty quick or we will be stuck indefinitely with this spoils system which is simply corrosive, which drives the society increasingly toward tribalism."

In a constitutional democracy pulled between two competing imperatives—our commitment to majority rule and our commitment to individual liberties—the ACLU, at its best, has stood for the inalienable rights of the individual against overreaching majoritarian authority. Today, it finds itself allied with overreaching majoritarian authority to defend the rights of groups at the expense of individuals. It is with sadness, more than anger, that many self-identified civil libertarians mark this transformation.

As a young ACLU member in 1954, Carl Cohen recalls hearing the words of Thurgood Marshall, not yet a Supreme Court Justice, as he argued *Brown v. Board of Education* before the Court. "When Marshall said that all governmentally imposed race distinctions are 'so odious that a state, bound to afford equal protection of the laws, must not impose them,' we cheered," says Cohen. That was 43 years ago. "Now, if you really want a civil-liberties union," he says wistfully, "you almost have to go out and find another one."

Jessica Gavora *is the editor of* Philanthropy, *the quarterly journal of the Philanthropy Roundtable.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Family. Faith. Freedom.

How Conservatives Can Set the Cultural Agenda

By Adam Meyerson

The paradox of American politics is that the country is shifting to cultural conservatism, yet the American people, and even many conservatives themselves, are deeply suspicious of the cultural message of conservative leaders.

This is conservatism's cultural moment. We know from Ronald Reagan's Cold War victory that conservative ideas work in national defense and foreign policy. We know from the resurgence of American capitalism that conservative ideas of tax limitation and deregulation revitalize the economy. Now is the time for conservative cultural ideas—marriage, religion, civil society—to repair the fabric of American life.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

President Clinton has said that "the era of Big Government is over." He doesn't mean it. His 1998 budget is full of proposed new federal programs, as well as expansions of existing programs such as the National Endowment for the Arts, for which there is no legitimate federal role. But intellectually the era of Big Government truly is over. Even most liberals have lost faith that a large central government in Washington is the answer to the great cultural crises of our times: the epidemic of child abuse, more black men in jail or prison than in college, a public education system that fails to teach 40 percent of third-graders to read.

The answer to these problems is more individual responsibility and less government bureaucracy, more social entrepreneurship and less social engineering. Conservatives now have the opportunity to usher in a new era of self-government that relies on strong families, active religious faith, rejuvenated civic associations, accountable local governments, a vigorous market economy, and private charities to help those who fall between the cracks. Even with the re-election of President Clinton, conservatives are well positioned to define an agenda for American cultural renewal.

In his enthusiastic defense of abortion and racial quotas, the president remains on the cultural Left. But he won re-election in part because, on many issues, he ran as a cultural conservative. Most of his conservative speeches and actions—from calling for more police on the streets, to signing legislation overturning barriers to transracial adoption, to embracing the historic welfare reform of 1996—have been "me-too" endorsements of rhetoric and initiatives long championed by conservatives. The voters rewarded Clinton for adopting such initiatives; if he values his popularity in his second term, he will be receptive to others.

If this is conservatism's cultural moment, however, it is a moment fraught with uncertainty—even peril. Conservatives still haven't found the right vocabulary for framing the cultural debate. They can intimidate almost as often as they educate. They have not persuaded the overwhelming majority of Americans to welcome conservative solutions to some of our most troubling social problems. And they can divide almost as easily as they unify. No, there is nothing inevitable about the triumph of conservative ideas and ideals. Liberalism as an ideology may be in retreat, but it is institutionally powerful, and obstructers of conservative reform still dominate the media, the courts, the academy, and the interest groups sustained by a bloated federal government.

So now, the hard work of persuasion can and must begin. To set the cultural agenda, and drive home the central importance of marriage, religion, and civil society in civic renewal, conservatives face three principal challenges.

The Family. Conservatives have won the argument about the central importance of making sure that every child grows up with a mother and father. The next challenge is to translate this victory into a strategy for reinforcing marriage in public policy, and for giving parents more control over the education and upbringing of their children.

Faith. Conservatives are breaking down barriers to religion in the public square by emphasizing such principles as religious freedom and religious expression. But they haven't yet found an effective vocabulary for arguing that religion should take a more central place in American life. The next challenge is to encourage greater public appreciation of the role of religion and religious believers in healthy societies while affirming a commitment to the separation of church and state.

Freedom. Conservatives have won the argument about the importance of private voluntary associations in a free society. The next challenge is twofold: First, to strengthen civic institutions without resorting to government subsidies that create dependency and destroy any sense of mission; and second, to empower citizens to reassume the primary responsibility for helping the needy through religious, charitable, and civic institutions.

Even most liberals have lost faith that a large central government is the answer to the great cultural crises of our times.

The language of cultural renewal can reinvigorate a seemingly rudderless GOP congressional leadership that is struggling to recapture its momentum. Self-government—through marriage, religion, and civil society—is the essential complement to tax relief and fiscal restraint. We can't have cultural renewal without a smaller central government. And we can't limit government and provide tax relief without a vision of freedom and responsibility that will surpass the welfare state in meeting human needs.

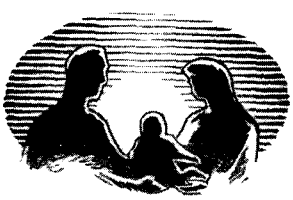
Marriage: In the Driver's Seat

The most effective way for conservatives to talk about "family values" is to stress the importance of making sure that every child in America grows up with both a mother and a father. This

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lesson is clear and fundamental. There is no longer any doubt that illegitimacy and divorce are harmful to children. Social scientific evidence shows unequivocally that, among whites and black alike, the collapse of the family is the most important cause of crime, poverty, academic failure, and personal unhappiness in America today. The evidence is so overwhelming that liberals who five years ago mocked Vice President Dan Quayle's "Murphy Brown" speech now acknowledge, in the words of President Clinton, that "there were a lot of good things in [the Murphy Brown] speech. . . . This country would be better off if more babies were born into two-parent families. Too many kids are growing up without family support." Liberals will not necessarily endorse conservative proposals for putting the family back together, but they nod in agreement when conservatives describe the harm caused by the collapse of the family.

Conservatives sometimes mishandle the issue of marriage by becoming too preachy or by impugning the "family values" of their opponents.



How were conservatives able to win broad recognition of the benefits of two-parent families? One reason is that racial politics has changed. In liberal circles, it used to be considered racist to talk about the dangers of illegitimacy. Daniel Patrick Moynihan was ostracized from the liberal establishment in 1965 when he warned that America's black communities would be hurt by an out-of-wedlock birth rate then surpassing 25 percent. Now that black illegitimacy has reached 70 percent, more and more African-American political, cultural, and religious leaders are recognizing that the collapse of the family is devastating their communities. Now that illegitimacy among whites exceeds 25 percent and is rising rapidly, liberals feel more comfortable with plain talk about a problem that also affects whites.

Conservatives have also discovered ways to talk about the family without invidious racial distinctions, such as pointing out that there is little difference between white and black criminality when the studies take into account family structure. Both blacks and whites who grew up with two parents have low crime rates; both blacks and whites who grew up in broken homes have high crime rates. Two-parent black families have two-and-a-half times the median income of white families headed by single mothers.

Conservatives have used the collapse of the family to undermine the legitimacy of the federal welfare state. Proponents justify government anti-poverty programs primarily in the name of children. But that argument falls in the face of clear evidence that the huge expansion of federal, state, and local anti-poverty programs over the last 30 years has coincided with skyrocketing rates of illegitimacy and divorce that have devastating effects on children. Conservatives furthermore have exposed the disastrous incentives of welfare programs themselves. They have shown how federal welfare programs discourage both marriage and work and have the unintended effect of subsidizing and promoting unwed motherhood. By reducing the penalties for divorce or nonmarriage, the easy availability of welfare also discourages mothers and fathers from reconciling their differences and staying together.

Conservatives are in the driver's seat on this issue. Liberalism in the last 30 years has sought to diminish individual responsibility for raising children and to augment collective ("state") responsibility. This impulse is summed up best in Hillary Clinton's slogan, "It takes a village to raise a child," which implies that America is a national village in which everyone is responsible for everyone else's children. Conservatives countered effectively that it really takes a family—mothers and fathers—to raise children. At the 1996 Democratic Party convention, the First Lady was forced to backtrack, saying that "parents first and foremost are responsible for their children," though she also went on to make the breathtaking assertion that "it takes a president" to raise a child. It is time to make her backtrack again. The experience of the last few years suggests that conservatives will win this argument if they continue to emphasize that it takes a married mother and father, not a government, to raise a child.

Conservatives have shown, however, they can occasionally mishandle this issue by becoming too preachy or sanctimonious, or by impugning the "family values" of their opponents. Such approaches usually backfire. On a subject as close to Americans' hearts as marriage and the family, it is important for political leaders not to be self-righteous. Audiences resent a tone of moral superiority. Moreover, since all political leaders are human—which is to say, all have character flaws—the self-righteous politician is likely to be branded a hypocrite when his own shortcomings are exposed.

A number of leading conservative politicians have obtained divorces while their children were still minors. This should not disqualify them from the debates over parental responsibility; on the contrary, they may be able to add sensitivity and wisdom learned from the sadness of their own ex-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

perience. It does mean, however, that they and their political allies need to approach debates on parental responsibility in a spirit of personal humility. Cultural conservatives run a great risk when they frame a debate over who has the best and strongest personal commitment to family life. It is more effective to argue over who has the best ideas for putting the family back together and for repairing the fabric of American life.

The next challenge in the "family values" debate is to explore how public policy can make it more likely that the overwhelming majority of children grow up with parents who are married to each other. In certain important areas of public policy—for example, Social Security payments, pensions, and the tax treatment of health insurance—the law already favors marriage. In others, such as income taxes and welfare, public policy actively discourages marriage. Perhaps no policies hurt marriage as much as the no-fault divorce laws currently in place in 49 states; but family law has been, and ought to remain, the bailiwick of state rather than federal government. There are nevertheless many areas in which federal political leaders can make an important difference in supporting and reinforcing marriage:

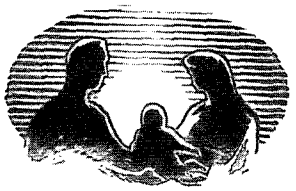
Taxes. In the great tax-reform debate to come, a central question will be whether tax policy should be made to favor marriage instead of undercutting marriage as it does today. There are three dominant reform ideas in conservative discussions about taxation. One is the principle of neutrality—that government should not use the tax system as an instrument of social engineering. A second is the principle of simplicity and fairness—that all income should be taxed only once and at the same rate. A third is the principle that tax policy should encourage investment and growth—for example, through a consumption tax or low marginal rates on income. All of these principles would remove some of the current penalties against marriage, but none embodies a preference for marriage. As conservatives lay the philosophical and political groundwork for major tax reform over the next few years, they must decide whether such a preference should be combined with the other reform principles.

One of the most significant but seldom mentioned features of the Armey-Shelby flat-tax proposal is that it ends marriage penalties for dual-income couples while also making it easier for married mothers not to work. Under any flat tax or consumption tax, dual incomes would no longer push married couples into a higher tax bracket. But perhaps most significant, the plan's large personal exemption ($10,700 per parent and $5,000 per child) would reduce the tax burden on lower-income families and make it much easier for mothers with children to stay at home. This almost certainly would make marriage much more attractive for lower-income women.

There is a steep price for generous personal exemptions: The tax rates are higher than they otherwise would be. But economic conservatives should be prepared to pay this price, and to embrace the proposition that it is important to favor marriage in the tax system, for the sake of building a broad-based coalition among economic and social conservatives on behalf of the Armey flat tax or similar tax-reform proposals. No fundamental tax reform can be achieved without such a broad-based coalition.

Welfare. The welfare reform of 1996 does not promote marriage directly or end the subsidization of illegitimacy. Political leaders may wish to debate how to go further in reforming welfare not only by removing the remaining incentives for illegitimacy and divorce in poverty programs, but also by actually using public assistance to promote marriage. Should married couples receive preference in public housing and rent vouchers? Should married couples warrant a larger Earned Income Tax Credit, or perhaps be its exclusive recipients? Should men who marry welfare mothers be allowed to fulfill the mothers' work requirements under the new welfare legislation? Should welfare authorities give some sort of dowry to men who take women off welfare by marrying them? There are downsides to such approaches. They might encourage greater dependency on welfare among married people, for example, and might be unfair to mothers who truly have been deserted or are otherwise unmarried through no fault of their own. But it would be helpful to start debating what public assistance can do to favor marriage.

The Armey-Shelby flat-tax proposal ends marriage penalties for dual-income couples while making it easier for married mothers not to work.



Report on the Family. Every year, the President delivers a few significant reports to Congress, the most notable being the Economic Report of the President. It is time to establish an Annual Report to Congress on the State of the American Family. This would be a comprehensive report to Congress on the state of marriage, divorce, abortion, cohabitation, stepfamilies, parental time devoted to children, and the rela-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tionship between family structure and such indicators as educational attainment, religious practice, and income. Such a comprehensive report could be compiled from the large national surveys that the federal government already undertakes. The extra cost would be small and could easily be diverted from within other parts of the overall research budget that Congress allocates to the social sciences every year.

Sex education. Congress should hold hearings to explore why sex-education programs in high schools and junior high schools have failed to reduce teenage out-of-wedlock pregnancies. Hearings also should be held on private programs, such as Elayne Bennett's Best Friends and Kathleen Sullivan's Project Reality, that have outstanding track records in reducing teen pregnancy by encouraging abstinence (see "Chastity Programs Shatter Sex-Ed Myths," page 12). Similar hearings also could be held on the bipartisan National Campaign to Prevent Teen Pregnancy, established recently in response to a challenge from President Clinton with the goal of reducing the teen pregnancy rate by one-third by 2005. One of the most significant features of the campaign is its acknowledgment that "part of a strategy for reducing teenage pregnancy should be a more overt discussion of religion, culture, and public values."

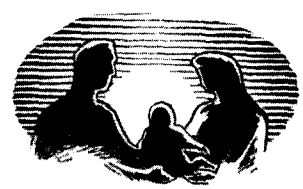
Homosexuality. A renewed focus on how public policy can make it more likely that children will grow up with both a mother and father gives conservatives a new vocabulary for talking about homosexuals, a vocabulary that recognizes their rights as citizens of a free country without according them special status or approval. Public policy gives special privileges and protections to marriage because it is the most important institution for the raising of children. Homosexuals are free to form their own lasting unions and to make their own personal commitments to each other, but it trivializes marriage to give such unions the special protections of the law or the subsidies that are intended to help mothers and fathers raise children into upstanding citizens.

Parental rights. Last November, Colorado voters defeated an initiative amending the state constitution to guarantee that "the right of parents to direct the upbringing and education of their children shall not be infringed" by government action in, for example, sex education, school counseling, and medical examinations without parental consent. In Congress, the Parental Rights and Responsibilities Act sponsored by Iowa senator Charles Grassley and Oklahoma congressman Steve Largent would give parents the right to direct or provide for the education of their children; make all health or mental-health decisions for them (with exceptions for imminent harm or life-threatening conditions); discipline the child, including reasonable corporal punishment; and direct or provide for the child's religious and moral formation.

It would be better to enforce these commonsense rules through local policy and custom rather than through constitutional provisions that will invite frivolous lawsuits and judicial intervention. But the grass-roots movement for such amendments clearly reflects the profound anxieties of many American parents that they are losing their power to shape their children's upbringing.

Educational choice. Perhaps no other reform can do more than educational choice to empower parents in the upbringing of their children. Although school funding is primarily a state and local responsibility, federal legislation can be used as a catalyst to encourage state and local voucher initiatives. The Watts-Talent Community Renewal Act, which incorporates the principle of targeted school vouchers in its strategy for empowerment zones, is an excellent vehicle for jump-starting voucher movements at the grass-roots level. Parents and students who have benefited from vouchers can be brought to testify on Capitol Hill; or perhaps better yet, congressional hearings can be held in schools where large numbers of low-income students could benefit from vouchers.

Homosexuals are free to form their own lasting unions, but giving such unions the special protections of the law trivializes marriage.



The teachers and principals in religious and secular private schools should figure prominently in these media and publicity strategies. Not only are they eloquent spokesmen for vouchers, but it is important to make these accomplished and dedicated teachers and principals heroes in the education profession. But it is just as important to win friends for school vouchers among public-school teachers. All good teachers know how important it is for parents to be involved more actively in their children's education; it is important that public-school teachers learn from their private-school counterparts how parental choice has helped them as teachers.

The unions will fight school vouchers bitterly. Their opposition will be ferocious, well financed, and well organized. But teachers and principals need not and should not be enemies of reform. No education reform worth achieving can win widespread acceptance without strong

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

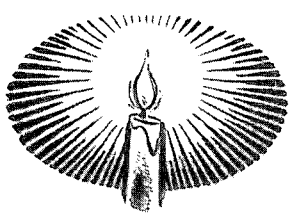
support from many teachers and principals. The next challenge for the voucher movement is to win such strong support.

Centrality of Religion

One of the great cultural achievements of conservatives in the last 15 years has been to convince political leaders from across the ideological spectrum that government ought not discriminate against religious believers and institutions. By emphasizing principles that draw the assent of liberals, such as religious freedom, freedom of expression, and nondiscrimination, conservatives have been able to build powerful left-right coalitions to break down barriers to religion in the public square, including public schools.

The Equal Access Act, which requires public secondary schools to treat student-initiated and student-led religious meetings the same as other student gatherings, became law in 1984 after passing both houses of Congress by overwhelming margins. It passed with the support of such diverse groups as the American Civil Liberties Union, the American Jewish Congress, the National Evangelical Association, and the Christian Legal Society. The law embodies two principles attractive to liberals: nondiscrimination and freedom of expression for students. The Religious Freedom Restoration Act of 1993, also approved by overwhelming bipartisan majorities in Congress, says that government may interfere with religious practices only if it can show that the regulation or action in question furthers a "compelling governmental interest" and is the least restrictive way to further that interest.

Faith commitment helps create and sustain the moral communities that make self-government possible.



In 1996, the Clinton administration issued guidelines suggesting that school curricula make more room for religion as long as schools teach *about* religion. The guidelines also suggested that it is constitutionally appropriate for students to write or give oral presentations in the classroom about religious subjects. School districts are beginning to use the Clinton guidelines to resolve disputes over religious expression in the classroom.

The "charitable choice" provision of the 1996 welfare reform legislation, which was added by Missouri senator John Ashcroft, was approved by 67 Senators without much debate on the Senate floor. The provision is a landmark in public policy because it insists that government respect the religious freedom of groups with which it does business. Religious organizations may receive state contracts for social services without having to remove their religious symbols, change their internal governance structure, or change their hiring practices. Moreover, if states give contracts for such services to private organizations, they are required to treat religious and secular organizations equally.

Three safeguards in the charitable-choice provision helped win the support of those who otherwise might have objected to the legislation on church-state grounds:

Vouchers. The law prohibits federal expenditures for religious worship, instruction, or proselytizing unless aid is given in the form of a voucher that enables a beneficiary to choose a social-service provider from a range of religious and nonreligious alternatives. Faith-based organizations receiving nonvoucherized state welfare contracts can conduct religious activities only with funds received from private sources.

Nondiscrimination. Faith-based providers receiving state contracts may not discriminate against beneficiaries on the basis of religion, lack of religious belief, or a refusal to participate in a religious practice.

Nonreligious alternatives. Any beneficiaries who object to receiving services from a faith-based organization may ask the state to provide them with services from an alternative (nonreligious) provider. The charitable-choice provision in the welfare legislation is a model for public housing, drug and alcohol rehabilitation, and other areas of public policy where religious groups have been reluctant to take government contracts for fear of losing their distinctive religious mission.

Conservatives have been less successful, however, in convincing the electorate that religion should play a much more central role in American life. Few people worry about private renewal or revival of faith within religious communities. But many Americans are worried that public expression of faith by energized, religiously committed groups and movements will lead to religiously inspired bigotry, discrimination against religious minorities, and an accentuation of religious conflict. In many parts of the country, conservatives will be on the defensive in talking about religion until they can overcome these widespread fears.

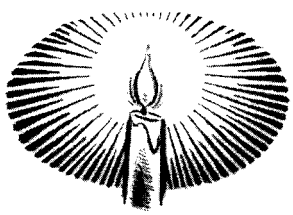
A revival of religious faith and observance is central to the conservative vision of American citizenship and self-government. This notion—that faith commitment helps create and sustain

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the moral communities that make self-government possible—is a theme sounded in nearly every important proclamation on religion in American life, from George Washington's Farewell Address to Martin Luther King Jr.'s evocation of the prophet Isaiah in his "I Have a Dream" speech. While it is beyond the power of presidents, legislators, and judges to lead a religious revival, national political leaders can help encourage greater respect for religion and religious believers.

They can begin by reminding Americans of their historical traditions. They can stress the importance of the Great Awakening in the American Revolution, the religious character of the anti-slavery and civil-rights movements, the historic contribution of churches and synagogues to the creation of so many colleges, hospitals, and charities in the 19th century. Conservative political leaders can argue that it is consistent with this tradition for religious leaders to speak out on great moral issues of the day such as abortion and homosexuality, and that it is outrageous—indeed un-American—for anyone to try to stop them from doing so.

It is vital for religious conservatives to proclaim their commitment to religious freedom and the separation of church and state.



On a more practical level, they can point out that religion offers answers to many of the great social crises of our times. Government, for example, cannot build and sustain healthy marriages or teach children to be hard-working, responsible, and virtuous. The family will be restored not primarily by public policy, but by private character-building institutions that touch the souls of men and women and inspire them to be more responsible husbands, wives, and parents. This is, above all, the task of religion.

Religion is the great wellspring of charity and voluntarism. Nearly half of all charitable donations are given to churches and other religious organizations. Weekly churchgoers give 3 percent of their income to charity; those who attend church less than once a month give less than 1 percent. Religious revival dwarfs tax incentives as a means to encourage more involvement with charity.

It is similarly important for conservative leaders to humanize the Christian Right so it is better understood by all Americans. Though the Christian Right is frequently vilified by liberals and the national media, it is one of the most constructive forces in American culture. In the tradition of Mormons, Jews, and other religions with a strong charitable culture, conservative Evangelicals and Catholics run schools for low-income children. They operate maternity homes that give unwed mothers the love and support they need to choose life over abortion. They go into our cities' meanest streets and rescue gang members, drug dealers, prisoners, and prostitutes from lives of violence, addiction, and desperation. Name a social ill afflicting our cities—poverty, unemployment, illiteracy—and you will find a religiously affiliated program attacking the problem with prayer and sweat and a small army of volunteers. Conservative political leaders can draw public attention to these programs by regularly visiting and attending services at churches, synagogues, mosques, and other religious institutions that are leading the moral revival in their communities.

National political leaders can pray publicly and seek divine guidance on momentous occasions. In his first official speech as president after the death of Franklin Roosevelt, Harry Truman drew from the Bible as he addressed a joint session of Congress: "At this moment I have in my heart a prayer. As I have assumed my duties, I humbly pray Almighty God, in the words of King Solomon, 'Give therefore thy servant an understanding heart to judge thy people, that I may discern between good and bad: for who is able to judge this thy so great a people.' " So long as it is done in an ecumenical spirit, such public prayer is completely consistent with religious freedom and American tradition.

Religious conservatives are correct when they criticize court rulings that threaten and belittle religious expression in our common culture. The Supreme Court and the lower federal courts often have used the Establishment Clause of the First Amendment as a club to browbeat the exercise of religious freedom, especially in our public schools. Justice Antonin Scalia has aptly criticized the High Court's so-called *Lemon* test—a standard to determine when government action violates the separation of church and state—as a "ghoul in a late-night horror movie" continually "frightening little children and school attorneys."

The Christian Coalition has said it seeks a constitutional amendment that "allows voluntary, student, and citizen-initiated free speech in non-compulsory settings." This is an important statement, for it is vital for religious conservatives to proclaim their commitment to religious freedom and the separation of church and state. It is important to insist that the powers of government not be enlisted to proselytize for any faith.

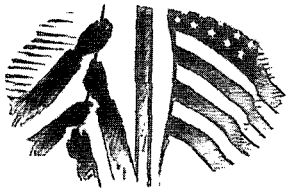
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

And it is important to be sensitive to the concerns of religious minorities, especially those with children in public schools. Just as many conservative Christians want to protect their children from sex-education classes that contradict their moral teachings, so members of religious minorities may want to protect their children from prayers that contradict what they are taught at home.

How To Promote Civil Society

When Ohio congressman John Kasich, the chairman of the House Budget Committee, travels to his district and around the country, he likes to ask his audiences how many think they could do a better job than federal bureaucrats in picking which charities can serve their communities most effectively. Typically, 299 out of 300 hands go up. This is a powerful current in public opinion. One of the main challenges for conservatives is to find ways to give Americans the tools to make the decisions they are ready and eager to make.

Every congressional district has success stories of grass-roots heroes who already embody the conservative alternative to the welfare state.



One approach would be through tax credits for charitable giving that go beyond the current deduction for those who itemize gifts to charity. However, tax-credit approaches run contrary to the objectives of flat-tax proponents and other conservative tax reformers who are trying to simplify the tax system. It also is probably best not to limit tax credits to organizations that are defined specifically as "poverty-fighting"; some of the most effective poverty-fighting groups may be churches, Boy Scout troops, libraries, and other organizations that would fail to qualify under such a definition. But if there are some serious problems with the charity tax credit as legislation, it has great rhetorical advantages. One of the best ways to make the case for federal spending cuts is to tie those cuts, dollar for dollar, to tax credits for families. This encourages families to take more responsibility for the needs in their community and to find out which charities are the most effective and the most consistent with their values.

Policymakers in Washington need to find ways to help civic institutions in their districts without direct government subsidy. One of the most effective ways to do this is to identify and overturn federal regulations that are interfering with their work. For example, the Clinton Labor Department has made life much more difficult for one of the most important community institutions in suburban and rural America: volunteer fire departments and rescue squads. Prodded by the International Association of Firefighters (an AFL-CIO affiliate), the Clinton Labor Department has barred professional firefighters who work elsewhere in their county of residence from volunteering to protect homes and lives in their own communities. This restriction not only robs firemen of the freedom to volunteer their services in their own free time, but also denies volunteer firehouses some of the best expertise available to them. The firefighters union so far has blocked legislation sponsored by Virginia congressman Herbert Bateman that would overturn this restriction, but if America's 1.2 million volunteer firemen and rescue workers (about 80 percent of the total) mobilize behind this change, conservatives can win this battle against union bullying.

Representative Rob Portman of Ohio has come up with an innovative way to promote citizen initiatives in his Cincinnati district. Portman's constituents were upset about rising drug use among teens, and Portman wanted to address their concerns without adding to the $13 billion that the federal government already was spending annually on drug-control programs. He helped establish the Coalition for a Drug-Free Greater Cincinnati, bringing community activists already involved in anti-drug work together with business leaders, religious leaders, the media, parents, young people, and law-enforcement officials. As a result of his work, every leading media outlet in the area is running anti-drug public service announcements and advertisements; some of the radio spots were recorded by a popular local rock band. Health-care providers are offering financial discounts to businesses that adopt certified drug-free workplace programs. And parents in every school district are receiving practical training on steps to keep their children drug free. Portman's anti-drug work is a new model of constituent service that avoids pork-barrel spending and is custom-made for the revitalization of community institutions.

Every congressional district, every rural or metropolitan area, has success stories of grass-roots heroes who already embody the conservative alternative to the welfare state. Members of Congress can visit them, listen to their stories, discover the principles that led to their success against the odds, and find out the principal obstacles (including government regulation) to being even more effective. Such visits offer two

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vitally important benefits for conservatives in Congress.

First, they provide real-life examples that illustrate the conservative vision of self-government in a caring society based on personal and community responsibility. If conservatives are to articulate an alternative to the welfare state, it is essential to provide examples showing conservative ideas and principles at work. And for politicians, nothing is more persuasive than stories from their own districts or metropolitan areas. Conservative senators or representatives ought to be able to point to four or five religious and civic organizations in their districts or states that are providing care or opportunity for low-income people without encouraging long-term dependency on government or private charity. Political leaders can then explain that many more such organizations are needed if America is to become again the kind of self-governing republic that conservatives envision.

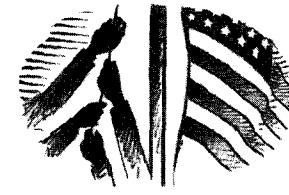
Second, conservative members of Congress may learn ways they can be helpful to grass-roots community organizations, and thus over time build constituent-service relationships with low-income communities. The liberal approach to such a question is to channel taxpayer money to such organizations. Conservatives can help them garner publicity for efforts to raise private money, bringing private donors or TV crews along when they visit effective community groups. They can hold private fundraisers. They can even hold congressional hearings at the sites of effective community organizations.

Congress itself could hold national awards ceremonies to salute the work done by individual members of civic institutions. President Bush honored more than 1,000 "Points of Light," one every day, and in many cases he or a cabinet member visited the institutions honored. He also invited winners to White House luncheons. In such ways, President Bush helped stimulate media attention and generate financial rewards for good works, but his strategy also encouraged winners to learn from each other.

The Points of Light initiative would have advanced conservatism better had it been carefully integrated into a political strategy for providing a conservative alternative to the welfare state. Bush used his daily Points of Light to emphasize the importance of community service and buttress his campaign to reform liability laws. But he made clear that he did not want his celebration of successful private programs to be used as an excuse for government not to fund activities in the same areas. By contrast, the 105th Congress could use awards ceremonies to credential a new set of experts: grass-roots problem-solvers with practical experience. This seems to be the spirit of the "Freedom Works" awards begun in 1997 by House Majority Leader Dick Armey.

It is also important to conduct research on and publicize faith-based, business-based, and other private organizations that achieve better results at lower costs than government social programs. Existing research shows clearly that religious schools teach inner-city children more effectively at less than half the cost of public schools. Congress can hold hearings to investigate why. Similarly, legislators can commission analyses of programs such as Prison Fellowship that seek to rehabilitate prisoners through religious conversion, asking how recidivism rates of prisoners in such programs compare with rates for control groups.

Private charities today are dominated by the same permissive, value-free philosophy that motivates most public-sector welfare bureaucracies.



Meanwhile it is important for conservative policymakers to engage leading charitable organizations in friendly debate. Conservatives face a troubling dilemma in the politics of devolution. They want to return responsibility for helping the poor from Washington to where it historically belongs—state and local governments and private charity—but many of the country's leading charities insist that the federal government should keep the leading role. For example, during the debate over welfare reform, organizations such as Catholic Charities USA, the Salvation Army, the Young Women's Christian Association, and the Lutheran Social Ministry strongly opposed the welfare reform passed by Congress in 1996.

Many leading charities receive as much as two-thirds of their income from federal, state, and local government funding. Not only do they resist efforts to reduce federal spending on programs from which they immediately benefit, but many think of themselves as part of a political coalition for a larger federal government and therefore will defend programs that benefit their partners in this coalition. For example, leading charities and philanthropies will resist voucher programs that are opposed by teachers unions and other public-sector unions.

The professional staffs of many leading charities and philanthropic foundations have been strongly influenced by left-liberal ideas such as the bean-counting obsession with "diversity"; a reluctance to severely punish criminals; a belief

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that poverty is unrelated to personal behavior, and results primarily from discrimination and an absence of economic opportunity; and an unwillingness to label such behaviors as unwed motherhood, sexual promiscuity, and drug abuse as morally wrong. Indeed, most private charities in America today are dominated by the same permissive, value-free philosophy that motivates most public-sector welfare bureaucracies. If private-sector philanthropies are to play a positive role in America's future, the ethos of these institutions must be utterly transformed.

Conservatives also must articulate a principled case against the seductive lure of government money for social-service organizations. Initially, this money can prompt a burst of new energy through larger staffs and more volunteers. But over time, it becomes addictive. Charities become less responsive to their clients and more responsive to bureaucrats and the staff of key congressional subcommittees. They pay less attention to their mission and more attention to strengthening the political coalitions that ensure the preservation of their contracts. And with contracts come regulations that sap their spirit. Congressional hearings could reinforce this argument by asking the officials of charities that do not accept government money to explain their reluctance to do so.

Not all charities that take government contracts abandon their missions, but many do. If a charity must take government money, it is best to keep it to a minimum. It is even better to funnel public funding to charities through individual vouchers rather than through direct contracts. Vouchers empower the people helped by the organization's services; more important, an agency that does not serve its clients well will soon be out of business.

Uniting Conservatism

One of the primary challenges for conservatives seeking a revival of marriage, religion, and civil society is to win the united support of the conservative movement. Many, perhaps most, conservatives are nervous about the language and objectives of cultural conservatism. Cultural conservatives can overcome these fears and help build a broader coalition, in the following ways:

Show that the vocabulary of citizenship is an essential complement to tax reduction and simplification and other reform objectives of economic conservatives.

We can neither cut taxes nor reduce the deficit unless we return certain responsibilities now handled by the federal government to families, businesses, and community institutions across America. To make the political case for this reform effort, conservatives must tend to the rebuilding of families and civil society so that these institutions will be strong enough—and are perceived by voters as strong enough—to act on their rightful responsibilities.

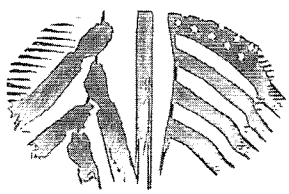
Use the vocabulary of cultural conservatism and self-government in talking about racial justice.

Any strategy for eliminating mandated affirmative action has to be combined with a strategy for solving the problems that affect black America disproportionately. The evidence is mounting that religious and community institutions in black America are leading the way in solving such problems as family breakdown, crime, and educational collapse.

Take care not to be too treacly or sentimental, or to put too much emphasis on increasing charity and volunteer efforts.

There should be more talk of personal responsibility, less talk of "compassion." The conservative heart reaches out to others in need, but the emphasis is always on building character and helping others so they can help themselves. And cultural conservatives seeking to revive civil society must make clear that they don't expect everyone to join a Rotary Club or volunteer at soup kitchens to solve society's problems. Self-government, in the conservative view, begins within the family—taking care of one's own children, one's own spouse, and one's own aging parents. Good citizens can responsibly own a business, create wealth, and produce goods and services that their customers value. The volunteer at the soup kitchen may in fact do less for the poor than the fast-food franchise owner who offers job opportunities and low-cost food so the poor don't have to rely on charity.

Conservatives should talk more of personal responsibility, and less of "compassion."



Speak the language of freedom.

The Founding Fathers gave us a republic where American citizens had the freedom to make the most important decisions about how to govern their lives. As conservatives seek to lead America from the era of Big Government to a new era of self-government, freedom must be at the core of our vision.

Adam Meyerson *is the editor of* Policy Review: The Journal of American Citizenship *and the vice president for educational affairs at The Heritage Foundation. This article is adapted from Heritage's book of strategic advice,* Mandate for Leadership IV.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Don't Read, Don't Tell

Clinton's phony war on illiteracy

By Robert W. Sweet Jr.

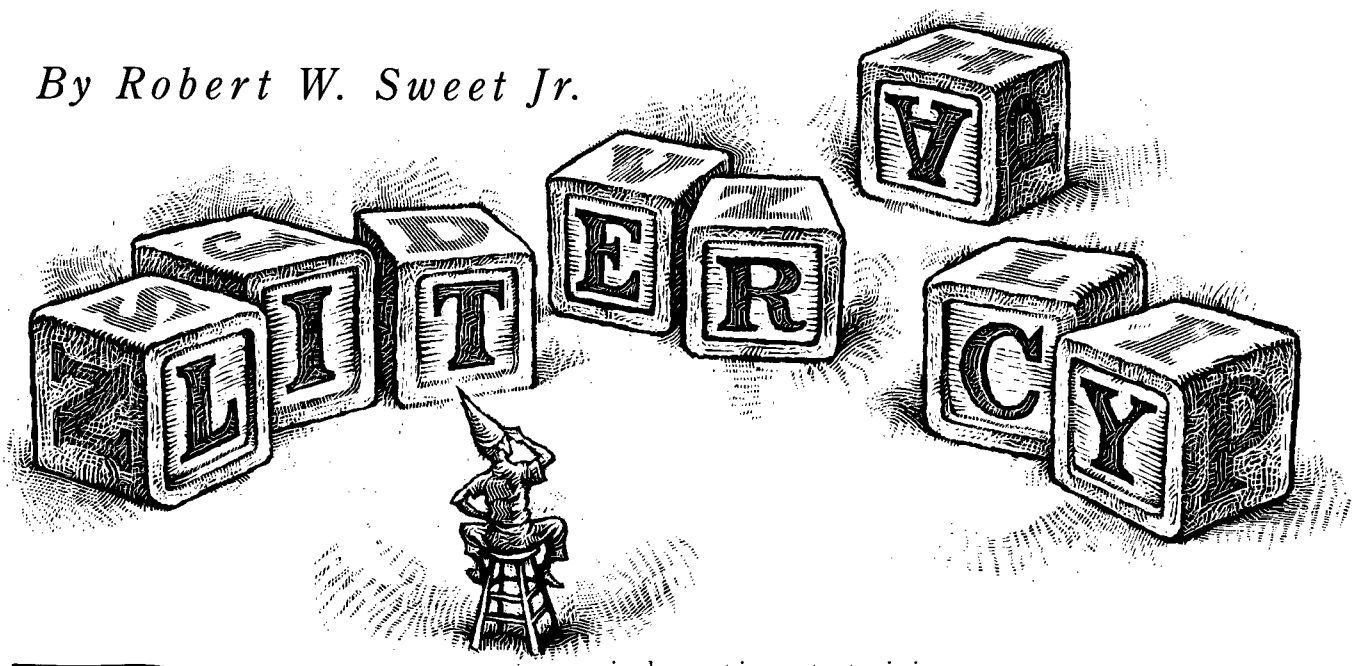


Illustration by Phil Foster

President Clinton is to be congratulated for calling attention to a national disaster: the inability of 40 percent of American eight-year-olds to read on their own. Reading is the gateway skill. It opens the door to all other learning. It is essential for participation in the knowledge-based economy of the next century. The president is right to insist that every American child learn this indispensable skill by the end of the third grade.

But the president's answer for this disaster does not provide a real solution. Under his proposed "America Reads Challenge," the government would recruit a million volunteers, many of them minimally trained college students, to teach children to read under the direction of AmeriCorps workers. The program sounds wonderful—we're all for voluntarism. But it diverts accountability from the colossal failure of the public-education system to achieve perhaps its single most important mission.

Think about it. Forty percent of third-graders cannot read. What a terrible indictment of our public-education system! What more important responsibility do schools have than to teach reading? Almost every child can learn to read by the end of first grade, if properly taught. But schools aren't achieving this by the third grade. For this failure, heads should roll. All teachers or principals or school superintendents who have failed to teach 40 percent of their third-graders to read should be looking for a new job. If 40 percent of third-graders cannot read and nothing has been done about it already, then teachers and principals obviously aren't being held to the right standards of performance.

Even more important, current methods for teaching reading must be completely overhauled. There are now 825,000 teachers from kindergarten to third grade whose principal job is to teach the three Rs. A high percentage of these teachers have master's degrees; almost all have been specially trained to teach reading. Obviously their training isn't working.

The federal government already spends $8.3

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

billion on 14 programs that concentrate on promoting literacy, including Title I funding for school districts with high proportions of low-income or poorly performing students. If 40 percent of third-graders can't read, then this money has not been wisely targeted and the teaching philosophy must be faulty.

Federal, state, and local governments spend another $40 billion a year on special education, with about half targeted at children with "specific learning disabilities." According to J.W. Lerner, writing in the *Journal of the American Academy of Child and Adolescent Psychiatry*, "80 percent of children identified as having learning disabilities have their primary difficulties in learning to read." Special-education reading methods don't seem to be working very well, either. According to research by B.A. Shaywitz and S.E. Shaywitz, more than 40 percent of high-school students identified as "learning disabled" drop out of school prior to graduation; only 17 percent enroll in any postsecondary course, 6 percent participate in two-year higher-education programs, and 1.8 percent in four-year programs. The loss of human potential is staggering.

Forty percent of third-graders cannot read. What a terrible indictment of our public-education system!

The 1993 National Assessment of Education Progress reported that "70 percent of fourth-graders, 30 percent of eighth-graders, and 64 percent of 12th-graders did not . . . attain a proficient level of reading." These students have not attained the minimum level of skill in reading considered necessary to do the academic work at their grade level. The National Adult Literacy Survey (NALS), released in 1993, revealed that between 40 million and 44 million Americans are unable to read phone books, ballots, car manuals, nursery rhymes, the Declaration of Independence, the Bible, the Constitution, or the directions on a medicine bottle. Another 50 million Americans recognize so few printed words that they are limited to a fourth- or fifth-grade level of reading. Illiterates account for 75 percent of unemployed adults, 33 percent of mothers receiving Aid to Families with Dependent Children, 85 percent of juveniles who appear in court, and 60 percent of prison inmates.

How has a nation that has dedicated so many resources to education allowed illiteracy to grow to such an unprecedented level? We can solve illiteracy now. Poor people, rich people, rural residents and city dwellers, all have an equal opportunity to master the skill of reading, if they are properly taught.

A Simple Solution

There's no great mystery to teaching reading. It's as easy as a, b, c. The best approach for the overwhelming majority of children is systematic phonics, the simple concept of teaching the 26 letters of the alphabet, the 44 sounds they make, and the 70 most common ways to spell those sounds. For most children, learning this basic code unlocks 85 percent of the words in the English language by the end of the first grade. Although some words such as "sugar" or "friend" have irregular spellings, children of all levels of intelligence can learn to read most words simply by learning the correspondence between sounds and letters.

This is the great benefit of an alphabet. Historian David Diringer has called the alphabet "the most important invention in the social history of the world." Ancient Egyptians had to memorize hundreds of hieroglyphics. Chinese and Japanese citizens must learn thousands of characters and character-combinations to function in society. It can be done, but with enormous difficulty. Reading in English is simple and accessible to almost everybody if properly taught.

An emphasis on phonics once made America the most literate nation on earth. From colonial times until the latter part of the 19th century, reading instruction was simple and straightforward: Teach the code, then have children read. It worked then; it will work now. Immigrants from every nation on earth had come to America. They all wanted to learn English, and most of them did. Millions of Americans used Noah Webster's *Blue Backed Speller*, a simple systematic phonics book, to teach their children to read at home or at school. More than 24 million copies were sold. It was second in sales only to the Bible.

With phonics the predominant instructional practice, illiteracy was almost unknown at the turn of the century among those who attended school. In 1910, the U.S. Bureau of Education reported, only 2.2 percent of schoolchildren between the ages of 10 and 14 in the U.S. were illiterate. Blacks had been forbidden to read under slavery, and only 4 percent of blacks were literate in 1866. But by 1943, as Henry Bullock wrote in *The History of Negro Education in the South* (1967), literacy had risen to more than 80 percent among blacks who had attended school.

The Phonics Backlash

But if phonics was the reigning practice, its emphasis on repetition and drill was rejected by the most influential philosophers of education. Horace Mann, Massachusetts's secretary of edu-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cation in the mid-1800s, wrote: "it is upon this emptiness, blankness, silence and death, that we compel children to fasten their eyes; the odor and fungeousness of spelling book paper; a soporific effluvium seems to emanate from the page, steeping all their faculties in lethargy." Mann preferred a method of teaching called "look and say," based on the ideas of Thomas Gallaudet, who was developing reading programs for the deaf. The premise of this method was that children could learn to read by associating words with pictures. Drills in letter/sound correspondences were unnecessary.

The father of progressive education, John Dewey of Teachers College at Columbia University, became one of the chief proponents of the "look and say" philosophy. In his 1898 essay "The Primary-Education Fetish," Dewey wrote, "The plea for the predominance of learning to read in early school life because of the great importance attaching to literature seems to me a perversion." Dewey believed that teaching children to read with phonics was drudgery that would turn them off from genuine learning.

In the early 20th century, "progressive education" and its attendant "whole word" or "look and say" theory of reading instruction spread to the teacher training schools, then called Normal Schools. But one of the paradoxes of a teaching philosophy designed to encourage intellectual curiosity and independence is that it limited children to a simplistic and boring vocabulary: "Frank had a dog," "See Spot run." The spoken vocabulary of most children at the end of the fourth grade exceeds 15,000 words. By contrast, the typical whole-word reading series taught children to memorize only 1,500 words by the end of the fourth grade.

Beginning in the 1960s, Ken Goodman, Frank Smith, and a bevy of "new Deweyites" promoted a reading philosophy called "whole language," which also avoided phonics. Whole-language theorists believe that children learn to read the same way they learn to speak. Teachers are taught that children are born with the ability to read, and all that is required is to surround them with books, read to them, and then let them read themselves, using context, pictures, and the beginning and ending letter sounds of words to guess their meaning. Ken Goodman, one of America's more famous whole-language advocates, writes in the *Whole Language Catalogue*, "Whole language classrooms liberate pupils to try new things, to invent spellings, to experiment with a new genre, to guess at meanings in their reading, or to read and write imperfectly. In whole language classrooms risk-taking is not simply tolerated, it is celebrated."

For the past decade, whole language has dominated the curricula of all 50 states, as well as the leading remedial tutorial programs such as "Reading Recovery," which has been endorsed by First Lady Hillary Rodham Clinton in her book, *It Takes a Village*. Whole language has been the central principle of reading instruction in virtually all teacher training schools, as well as professional organizations such as the International Reading Association and the National Council of Teachers of English.

The Research Is in

The great tragedy of all this is that research in reading instruction shows conclusively that whole language does not work, and that phonics-based instruction does. The National Institute of Child Health and Human Development (NICHD), a division of the federal National Institutes of Health, has funded and overseen empirical, replicable research at eight major universities (Yale, Johns Hopkins, Florida State, Bowman Gray School of Medicine, and the universities of Toronto, Colorado, Houston, and Miami) that has been reported in more than 2,000 refereed journal articles since 1965. The results of this research were summarized by Benita Blachman, a professor of education at Syracuse University, in a 1994 literature review published in *Reading and Writing: An Interdisciplinary Journal*:

More than $200 million in research by the National Institutes of Health shows that phonics is the best way to teach reading.

"We have had a scientific breakthrough in our knowledge about the development of literacy. We know a great deal about how to address reading problems—even before they begin. . . . The tragedy is that we are not exploiting what we know about reducing the incidence of reading failure. Specifically, the instruction currently being provided to our children does not reflect what we know from research. . . . Direct, systematic instruction about the alphabetic code is not routinely provided in kindergarten and first grade, in spite of the fact that at the moment this might be our most powerful weapon in the fight against illiteracy."

In February 1997 Bonnie Grossen, a research associate at the College of Education at the University of Oregon, summarized the NICHD research and identified seven steps for producing independent readers (see sidebar next page).

Empirical scientific evidence for the effective-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ness of phonics stands in stark contrast to the unvalidated whole language philosophy. Keith Stanovich, a well-respected researcher at the University of Toronto, wrote in the *Reading Teacher* (January 1994): "That direct instruction in alphabetic coding facilitates early reading acquisition is one of the most well-established conclusions in all of behavioral science. Conversely, the idea that learning to read is just like learning to speak is accepted by no responsible linguist, psychologist, or cognitive scientist in the research community."

At the 1997 meeting of the American Association for the Advancement of Science, Barbara Foorman, an educational psychologist at the University of Houston, presented a comparison study of two groups of low-income first- and second-graders who had been classified as "reading disabled." These students scored at the 25th percentile in reading ability at the beginning of the year. At the end of the year, the students taught whole-language achieved mean scores near the 25th percentile. Those taught systematic phonics had mean scores at the 43rd percentile.

According to Foorman, "such results suggest that direct instruction in sound-spelling patterns in first- and second-grade classrooms can prevent reading difficulties in a population of children at-risk of reading failure."

In 1985, Arizona's Peoria Unified School District compared the Spalding Program, a phonics-based language-arts system, with the district's existing whole-word program. Kindergarten through third-grade classes were paired in one high-income, two middle-income, and two low-income schools. By the end of one year, control schools' average reading comprehension scores remained at or below the 50th percentile, while scores from all the phonics schools at all incomes ranged from the upper 80th to the high 90th. Based on that evidence, the district adopted Spalding in all 18 of its schools. During the next eight years, Peoria consistently maintained scores 20 to 30 percentile points higher than neighboring districts with school populations of similar income.

Jane Hodges, a professor of education at the Mississippi University for Women, has compared first-graders in Aberdeen, Mississippi, who were taught in systematic phonics with those instructed in whole language. The phonics students scored 42 percentile points higher in reading overall, and 34 points higher in comprehension.

Such research results are beginning to affect teacher training. Columbia's Teachers College, John Dewey's home territory, has reintroduced systematic phonics in the curriculum for special-education teachers. Associate professor Judith Birsh teaches a course in alphabetic phonics that is now a requirement for completion of the Learning Disability Masters Degree program.

In the summer of 1995, the American Federation of Teachers devoted an entire issue of its magazine *American Educator* to the teaching of reading and the virtues of phonics. In one article, Maggie Bruck, an associate professor of psychology and pediatrics at McGill University, in Montreal, said she has "reviewed the entire database of educational research and [has] not found a single example published in a major

Principles of Reading Instruction

1.Teach phonemic awareness directly in kindergarten. Students should be taught that spoken words and syllables are made up of sequences of elementary speech sounds. These skills do not develop naturally, but must be taught directly and systematically.

2. Teach each sound-spelling correspondence explicitly. Students should be explicitly taught the single sound of each letter or letter combination. Each day, there should be 5 or 10 minutes of practicing the sounds of letters in isolation. The balance of the lesson should provide practice in recognizing letter/sound relationships in decodable text.

3. Teach frequent, highly regular sound-spelling relationships systematically. Teach the students the 70 most common sound-spelling relationships. Systematic teaching means students should be taught sound-spellings before being asked to read them, and the order of instruction should progress from easier to more difficult sound-spelling relationships

4. Teach students directly how to sound out words. After students have learned two or three sound-spelling correspondences, begin teaching them how to blend sound/spellings into words. Show students how to move sequentially from left to right through spellings as they "sound out," or say the sound for each spelling. Practice blending words composed of only the sound-spelling relationships the students have learned.

5. Teach students sound-spelling relationships using connected, decodable text. Students need extensive practice in applying their knowledge of sound-spelling relationships as they are learning them. This integration of phonics and reading can only occur with the use of decodable text. Decodable text is composed of words that use the sound-spelling correspondences that students have been systematically taught.

6. Teach reading comprehension using interesting stories read by the teacher. Comprehension should be taught with teacher-read stories that include words most students have not yet learned to read, but which are part of their spoken vocabulary.

7. Teach decoding and comprehension skills separately until reading is fluent. Decoding and comprehension skills should be taught separately while students are learning to decode. Comprehension skills learned through teacher-read literature can be applied to students' own reading once they become fluent decoders.

Source: Bonnie Grossen, University of Oregon, summarizing $200 million in research conducted over 30 years under the direction of the National Institute of Child Health and Human Development.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

peer-reviewed journal that showed that whole language worked."

The Reading Recovery program, which typically costs an astronomical $8,000 to $9,000 per student, has come under fire in five major research studies. As summarized by Bonnie Grossen and Gail Coulter of the University of Oregon and Barbara Ruggles of Beacon Hill Elementary School, these studies found that "Reading Recovery does not raise overall school achievement levels. . . . Research-based alternative interventions are more effective than Reading Recovery . . . and far fewer students than claimed actually benefit from Reading Recovery." Columnist Debra Saunders has written in the *San Francisco Chronicle*, "Reading Recovery—a program designed to prevent reading failure—is to education what the $600 toilet seat was to the military. Except that no one ever said the $600 toilet seat didn't work as promised."

Most Americans are unaware of what has been called "the phonics wars," but they are nonetheless taking matters into their own hands. Many are astonished that there is any debate about how to teach children to read. During the past decade, more and more parents have been teaching their children to read before they enter school or after schooling begins. Products like "Hooked on Phonics," "The Phonics Game," "Sing, Spell, Read, and Write," "Action Reading," "Phonics Pathways," "Alpha Phonics," "Saxon Phonics" and many others have taken the country by storm. Reports from satisfied parents are overwhelming. Millions of children are becoming proficient readers using these programs at home. Most of these programs are priced at a fraction of the costs of Reading Recovery, yet they work far better. Does it occur to any teachers that the same tools could be used in every kindergarten and first-grade classroom?

During the past several years, California, Ohio, Texas, North Carolina, Wisconsin, Virginia, Washington, have passed legislation that requires systematic instruction in phonics. Others are following suit. In 1997, New York, West Virginia, South Carolina, Nebraska, Nevada, Massachusetts, Tennessee, Mississippi, have similar legislation pending. While President Clinton fiddles, state legislators are finally listening to their constituents and taking action, and it is about time.

Meanwhile millions of students still suffer because of a disastrous teaching philosophy. Thaddeus Lott, principal of Wesley Elementary School in Houston, Texas, and a leading authority on African-American education, commented recently: "When students are brought up on the [whole language] system and see an unfamiliar word, they are told to guess instead of decode. Frustration sets in when children are given a problem to solve without the means to solve it. Chronic frustration leads to negative feelings and anger and loss of self confidence. That's not the way to empowerment."

There is a simple solution, one that was voiced by Rudolph Flesch in his classic book of 1955, *Why Johnny Can't Read,* and 26 years later, in *Why Johnny Still Can't Read.* "Any normal six-year-old loves to learn letters and sounds. He is fascinated by them. They are the greatest thing he has come up against in life." Teach the letters and sounds directly and systematically, and you will have lifelong readers who love books.

Robert W. Sweet Jr. *is the president of the National Right to Read Foundation, P.O. Box 490, The Plains, Virginia, 20198. Tel.—800-468-8911. Sweet was the director of the National Institute of Education under President Reagan, and federal Administrator for Juvenile Justice Programs under President Bush.*

The Oprah Challenge

Jeanie Eller is a master reading teacher from Arizona. One day, while watching Oprah Winfrey's talk show, she heard her remark, "Many parents do not know how to read, and therefore cannot read to their children." Jeanie issued the following challenge to Winfrey: "Select several illiterate adults, let me teach them for two weeks, and I'll prove that illiteracy in America is a fraud." Her challenge was accepted, and in February 1994, Jeanie set up shop in a small classroom at Winfrey's Chicago studio. Her students: Alfred Carter, age 69, who had attended school for only two weeks when he was six years old and who wanted desperately to read his Bible; Paul Burde, 35, upper-middle-class suburbanite, who hid his illiteracy from everyone but his wife and mother; Alberto Mendoza, 32, who had graduated from high school with a diploma he could not read and was told he was clinically dyslexic and would always be illiterate; Paulina Gomez, 30, who dropped out of school in the eighth grade when she became pregnant with the first of six children. Gomez had lived on welfare and drugs, and her children had been placed in foster care. She had gone through drug rehab, and she wanted to learn to read, get a job, and regain her children.

After two weeks of intensive instruction using her own phonics-based "Action Reading Program," Jeanie's students were calling themselves "the four Amigos." The day before the taping of the Oprah show, Jeanie and the "Amigos" walked the streets of Chicago, reading store and street signs. They were like children, laughing and pointing. They went to an art museum where they read the labels under the great masterpieces. They ate lunch, and read the menu aloud. Finally, they went to the public library, where they each got library cards. They were pulling books out of the stacks and reading paragraphs to each other, giddy with delight. One can only wonder what their lives could have been if they had been taught to read in first grade.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There's No Place Like Home

The state of Kansas has turned its child-welfare services over to private nonprofits with one mandate: Don't let kids languish in foster care.

By William D. Eggers

More than 500,000 children will pass through America's foster-care system this year, double the number from a little over a decade ago. Nearly 100,000 of these children will never return to their original home. Some will be adopted, but even these lucky ones will spend an average of three to five years waiting for a permanent family. The unlucky ones will spend the remainder of their childhood drifting through foster-care hell. After "ageing out" of the system at 18 years of age, many of these foster-care "graduates" will end up on welfare, on the streets, in jail, or a combination of the three.

Last December, President Clinton issued a bold challenge to the states, which administer most of the country's child-welfare programs, to double the number of children moved each year from foster care to adoptive homes by the year 2002. "The public child-welfare system was created to provide a temporary haven for children," he said, "not to let them languish forever in foster care."

Kansas may become a model for states trying to meet the Clinton challenge. The Sunflower State recently became the first state in the nation to fully privatize its adoption, foster-care, and family-preservation services. "Kansas has taken the national lead in foster-care and adoption reform," says Derek Herbert, the associate director of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Boston-based Institute for Children, which tracks developments in state child-welfare programs.

Kansas's Department of Social and Rehabilitation Services (S.R.S.), previously the state's largest provider of adoption and foster-care services, now purchases these services from a network of private providers. No longer does the state recruit foster-care or adoptive parents or send in social workers to assist families in crisis. These responsibilities—along with administration, placement, counseling, and follow-up services—have all been turned over to private, nonprofit organizations.

The Kansas model offers vigorous competition between providers, a "capitated" funding system that pays contractors a flat, one-time, per-child rate regardless of actual costs, and stringent performance standards. This emphasis on performance provides strong incentives for the private providers to move children rapidly out of foster care and into permanent homes.

Kansas's privatization effort is unprecedented in its ambitions. The reform "addresses many of the hopes and dreams the child-welfare community has had for many years," says Bob Hartman, the executive director of Kansas Children's Service League (KCSL). "We just never fathomed the state would ever go to this extent."

A System in Disarray

Like most state child-welfare systems, Kansas's had been broken for years. Case workers were overwhelmed, the computer equipment was antiquated, and the bureaucracy moved glacially. Because they weren't mandated by state law, adoption services were neglected; over the past eight years, fewer than half of Kansas children legally free for adoption were placed in homes within a year. Foster care was also a mess. Children were shuffled from one foster home to another, and many passed through seven or eight homes during their childhood.

Within four months after privatization, the number of adoptions in Kansas has risen from 30 to 50 a month.

For 14-year-old Dale, a mere seven or eight would have been heavenly. The teenager, an animal lover with an IQ of 130, has been in 130 foster homes since he entered Kansas's child welfare system at age three. "Just when you unpack your stuff, it's time to move again," he says. "I learned to turn off my feelings because if I thought about how bad I felt, I wouldn't be alive. You learn to use your imagination a lot because it's so much better than what you're living."

Finally, in 1990, the ACLU filed a class-action lawsuit against the state on behalf of children. The judge listened to the state's defense—and promptly put the department under a consent decree. The S.R.S. failed court-ordered reviews for five years running. By 1995, it had become clear to all involved that tinkering with the existing system wouldn't work.

Nearly everyone who mattered—Governor Bill Graves, the Secretary of S.R.S., the Commissioner of Children and Family Services, the legislature, and the advocacy community—agreed that a fundamental restructuring of the system was needed. And so Kansas's privatization model was born.

A Bold Plan

Kansas's new child-welfare system departs from the past in several dramatic ways. One is the way that providers are compensated. In all three areas—family preservation, foster care, and adoption—the contractors are paid a one-time, flat fee per child. Drawing on the managed-care model in health care, the rate is "capitated," which means the contractor must agree to serve each child for a fixed price, regardless of how troubled the child is or how long he has been in the system. For example, contractors in family-preservation services receive the same payment regardless of whether a family requires a handful of visits or hundreds.

Previously, providers were paid on a fee-for-service basis. Under this scheme, neither the state social workers nor the private providers had much incentive to move a child out of the system quickly. Federal funding for child welfare pays states for each day a child remains under the state's care. So once the child left foster care, the state agency and the contractor stopped receiving federal money. In effect, they had a financial incentive to keep children *in* foster care.

The managed-care approach turns the incentives upside down. Kaw Valley Center, a nonprofit that has provided children's services in Kansas for nearly 30 years, has foster-care contracts in two of the state's five regions. It is paid a one-time rate of $12,860 per child, whether the child stays in foster care for one month or five years. Services for one child typically cost $17,000 to $25,000 a year, so Kaw Valley will lose money on any child that stays in substitute care for more than seven or eight months. Previously, a child in Kansas would stay in foster care on average more than two years.

This system gives Kaw Valley and other providers a powerful financial incentive to work intensively with the birth parents to get the child back into her original home. If that is not in the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

child's best interests and the initial prognosis for the family is dim, Kaw Valley will pursue two tracks concurrently: family reintegration and termination of parental rights. The end result should be much shorter foster-care stays for children. "The point is, if the family can be reunited, let's do it," says Phil Krueger, the vice president of Kaw Valley. "If not, we'll place the child in an adoption track."

The managed-care approach dramatically shifts risk to the private sector. "It's the old bell curve," says Krueger. "At one end are the expensive long-term-care children. At the other are the kids that can be placed or reunited quickly who won't cost much. We're hoping it averages to $12,860."

Most contractors have been willing to accept higher risks in return for greater freedom and control over how the system is run. Besides, they say, they're not in it for the money; their mission is to help kids. "We faced a big decision in bidding for this contract because it involves a financial risk to the agency," says K.C.S.L.'s Hartman. "Yet we've been committed to these children for more than 100 years."

Most contractors have been willing to accept higher risks in return for greater freedom and control over how the system is run.

Actually, the contractors can defray a little of the financial risk. The state will pay for up to 10 percent of an agency's cost overruns—one provider dubs this "capitation insurance." On the other hand, if the contractor costs come in under the bid price, they're allowed to keep the first 10 percent of savings.

Nonprofits Embrace Competition

Another innovation of the Kansas experiment is vigorous competition. Previously, state contracts went to politically connected providers; there was little real competition for the contracts. This has changed. Due to intense competition for the contracts, nonprofits have had to radically rethink the way they do business. "Competition forced us to take a hard look at our true costs, which we hadn't done before," says K.C.S.L.'s Hartman.

Competition also has encouraged nonprofit providers to create an array of partnerships and consortia to address their weaknesses. "Within the last year there has been a total upheaval in how this business is done," says one nonprofit director. Methodist United Youthville partnered with Value Behavioral Health (V.B.H.), a division of Columbia HCA, the nation's leading managed-care company, to help it develop a managed-care program for children's services. V.B.H. is setting up Youthville's system for processing claims, measuring outcomes, staffing phones, and building a provider network. V.B.H. won't make a dime on the deal, but the partnership gives it some experience in a field where increased privatization is bound to provide future business opportunities.

To win another contract, Youthville set up a partnership with the Salvation Army, whose workers provided a large and dedicated cadre for recruiting foster-care and adoptive families. "We have more flexibility both internally and in building relationships with other providers," says Karen Baker, the vice president of Youthville. "The state is more constrained structurally and financially."

Advantages of the Private Sector

Youthville's religious affiliation also gives it an edge over state agencies. Nearly every town in Kansas has at least one Methodist church, says Baker. "If we need to start up services in Colby [a small town in northeast Kansas], we can start with the Methodist church. They'll usually provide us with volunteer drivers, temporary assistance, and referrals. It gives us a foothold in town with people who have a similar mission."

Kansas's private providers are also able to specialize in services in a way the state could not. "In the state agencies, each social worker had multiple responsibilities," explains Virginia Rodman, of Lutheran Social Services of Kansas and Oklahoma. "Child abuse was a mandated service, family preservation was a mandated service, but adoption was not and so it fell by the wayside. Our workers have only adoption as their priority."

Since taking over adoption in October, Lutheran and its subcontractors have dramatically raised adoption's profile in Kansas. The Kansas Adoption Network (K.A.N.), an organization formed by the providers to recruit adoptive families, has blanketed the state with a massive marketing effort. The recruitment drive has included direct-mail pitches, pictures and profiles of foster children in local newspapers, radio, and TV, and giant posters of the children affixed to business storefronts. To recruit more black families, the network has appealed to specific businesses that employ large numbers of African Americans. Now you can't turn on the TV, listen to the radio, open your mail, or read your newspaper in Kansas without hearing about a child in need of a loving home.

The new approach is working. The adoption network found a home for two sisters, 10-year-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

old Lovely and seven-year-old Sasha, within three months. Their new adoptive parents first heard of the girls from a direct-mail profile sent to targeted families. Over the next two months, they heard reports on the girls over the radio and saw them on television. Lovely and Sasha eventually won their hearts.

The girls have not been the only beneficiaries of the network's stepped up recruitment. In only four months, the number of adoptions has risen from 30 to 50 a month—an increase of 67 percent—while inquiries from prospective families have jumped from 50 to 450 a month.

When private nonprofits took over adoption services for the hundreds of Kansas children in need of homes, fewer than half of them were being placed within a year. Fourteen-year-old Dale (right) is a poignant example of the failure of the old child-welfare system. He has been in 130 foster homes since he was three. "Just when you unpack your stuff, it's time to move again," he says.

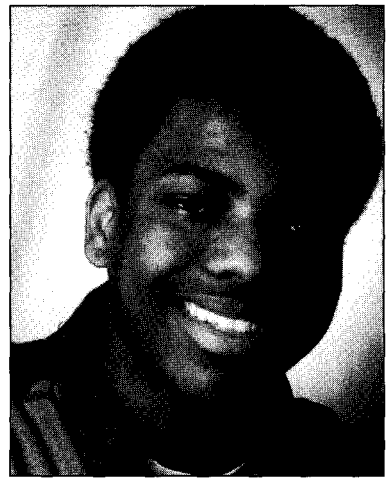
Groups like the Kansas Adoption Network did what government agencies could not: Blanket the state with aggressive marketing on behalf of kids like Sasha and Lovely (above), sisters adopted within three months, and the other children pictured here.

Tough Standards

Also crucial to appreciating Kansas's privatized system is its rigorous standards of accountability. The new contracts dictate the results that the contractor is expected to achieve, but how it achieves them is left to the provider's discretion.

The new performance measures hold the private contractors to a much higher standard than the state had demanded of itself. For example, Lutheran must meet five adoption outcome measures as part of the terms of its contract. The most important, of course, is placement. Previously the state was placing only one-fourth of children in adoptive homes within six months of freeing them for adoption. Lutheran may lose its contract if it fails to place 70 percent within 180 days and 90 percent within a year.

Providers must also meet a difficult standard for "disruption"—the term for an adoption that



Photos courtesy of Kansas Families for Kids

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fails. Nationally, an average of 10 to 15 percent of adoption placements fail. Lutheran must keep its disruption rate below 10 percent.

Given the reputation of HMOs for skimping on medical care, some children's advocates object to the capitated rate for child-welfare services. They fear that a profit-driven organization might put a child back in an abusive home rather than keeping him in more expensive foster care. "Our concern is that if you have managed care without quality insurance and the proper incentives to shore up vulnerable families, you could create financial incentives to underserve vulnerable children," says Charlotte McCullough, the director of the Managed Care Institute at the Child Welfare League of America.

To guard against this, Kansas officials carefully designed the outcome measures in a way that compels contractors to value the children's safety at all times. One such standard mandates that at least 90 percent of the children in each provider's care never suffer abuse or neglect (as measured by confirmed reports). So far, the private charities have achieved 98 percent safety in this area. Another standard makes the contractor responsible for the child's well-being for a full year after she has been placed in a permanent home.

"Requiring certain outcomes to be achieved is the balance to the capitation," says Hartman of Kansas Children's Service League. Virginia Rodman, of Lutheran Social Services, agrees: "The state has done a good job in making the funding incentives match the outcome measures."

It is too early to tell if Kansas's bold experiment will produce the ambitious outcomes spelled out in the contracts. The early results, however, are encouraging. In just the first seven months after family preservation was privatized, the providers have significantly exceeded performance goals in all five of the outcome categories.

The Opposition

One would expect a seismic systemic change like Kansas's to provoke fierce opposition from public-employee unions and the child-welfare advocacy establishment. It didn't. There was some initial opposition from the state's front-line social workers, who feared the loss of their jobs and benefits. They held a small protest rally, but in general they weren't very noisy. Why not? First, there were no layoffs. The department easily found new jobs for displaced employees, because a three-year hiring freeze in the department created new openings through attrition, and privatization required additional contract monitors.

Second, at least some state social workers actually welcomed a move to the nonprofit sector. "Working conditions of social workers had gotten so bad in the state agencies, [and] the feeling amongst social workers was that the nonprofits had higher standards," says Tammi Hawke, the president of the Kansas chapter of the National Association of Social Workers (NASW).

Even national groups like the Children's Defense Fund have expressed support for the general concept of a privatized, managed-care model for child-welfare services. "When you look at the goals of managed care and the goals that have been behind the child-welfare reforms we have supported, there are lots of similarities," says Mary Lee Allen, the director of child welfare and mental health for the Children's Defense Fund. "The movement is in the right direction." McCullough of the Child Welfare League says that, although advocates are now pretty quiet on the issue, "if we discover the outcomes are below what they were under the old system, then you will see a huge outcry."

The real opposition to a Kansas-style reform model will come not from public employees or the child-advocacy community, but from those nonprofit providers who stand to lose state contracts under the new system. If Kansas meets its goal of reducing by one-third the number of kids in out-of-home care and shortening foster-home stays, the number of beds needed for foster care will drop significantly. "[This] threatens some organizations' existence," says one provider, "particularly those providing group and residential homes. Not all agencies will make it."

Hope for the Future?

The problem with Kansas's previous foster-care and adoption services wasn't that social workers employed by the state were less caring than those in private groups. The problem was the system. Like most public agencies, it was driven by all the wrong incentives. Decades of failures with America's child-welfare system demonstrate that all the compassion in the world is not enough to overcome a bad system.

Kansas designed its new child-welfare system as if it were starting from scratch. The new incentives offered by a privatized managed-care model are improving the lives of children in need. Even Dale has become more upbeat about his prospects of getting a real family. "For the first time, I feel like someone is really trying to find a home for me," he says. "I feel like someone is actually doing something for me—someone cares."

William D. Eggers *is the director of privatization and government reform at the Reason Public Policy Institute. He is also the co-author of* Revolution At the Roots: Making Our Government Smaller, Better, and Closer to Home *(Free Press).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Smart Samaritan

Most private charities don't think very seriously about how to help the poor. Voluntary efforts will fail to improve on government welfare unless they learn from an earlier generation of poverty fighters.

By James L. Payne

Government programs of social assistance are on the wane. They still enjoy enormous political and budgetary clout, but they are losing intellectual and moral support. Voters are clamoring for retrenchment, and policymakers are pondering ways—such as tax credits and government grants and contracts—to create a larger role for private organizations in the welfare system. President Clinton, announcing a national summit on volunteerism to be held in April, said, "Much of the work of America cannot be done by government. The solution must be the American people through voluntary service to others." The future of social assistance, it appears, will be in the hands of nonprofits, churches, and volunteer groups.

This transformation will not, however, automatically create a better welfare system. The government system has failed because it has followed a defective approach to helping the poor. If the private sector maintains that approach—and it is in danger of doing so—we could end up with a welfare regime just as dysfunctional as the one we are struggling to replace. Before the country plunges into the brave new world of voluntary charity, we need to do some hard thinking about the right way and wrong way to give assistance to the needy. Here are some principles that charity leaders and volunteers ought to consider as they devise their own programs.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

1. Unexamined giving leads to defective charity.

Upon seeing a needy person, a benefactor's first impulse is a desire to fill the need. We see a beggar on the street who seems hungry, and we give him food. We see a person who is homeless, and we give him shelter. This is "sympathetic giving": giving according to the sympathy or pity one feels for the plight of the needy person. The problem is that such giving tends to "reward" the plight: Instead of lifting the recipient to self-sufficiency, sympathetic giving reinforces his bad habits and undercuts his motivation to reform himself. In this way, it leads to dependency and an ever-growing demand for more giving.

Government programs are typically programs of sympathetic giving. Although they are sold to the public as a "hand up," they are—or almost invariably become—"handouts," that is, giveaways of goods and services based on the apparent need of the recipients. Hence, the programs inadvertently reinforce bad habits and wrong choices: losing a job because of drug or alcohol abuse, dropping out of school, not saving money, having children one cannot support, not striving to overcome a disability, and so on.

Modern charity workers and donors need a comprehensive theory of giving to replace this flawed doctrine. Fortunately, we do not need to invent it. The 19th-century charity theorists covered this ground thoroughly, and they have left us a clear account of their conclusions.

Earlier reformers insisted that sound policy requires more than pity toward the needy. It must also include tough-minded analysis. In 1876, American preacher and sociologist Charles Ames put it this way:

"The open hand must be guided by the open eye. The impulse of pity, or compassion for suffering, belongs to every well-ordered mind; but like every other impulse, taken by itself alone, it is blind and idiotic. Unable to protect itself against imposition, unable also to discriminate and adapt its relief to the various conditions of actual helplessness, it flings its resources abroad at haphazard, and gushes itself to death."

In many private charities around the country, this advice is disregarded. All too often, charity volunteers assume that if they are motivated by compassion, there is no reason to examine the long-term effect of their programs.

In Sacramento, California, a group of reformers started a homeless shelter in 1983 called Loaves and Fishes. The philosophy is pure sympathetic giving. As a staff member told me, "We have no requirements, no expectations. We don't expect people to be in treatment programs or attend certain meetings in order to be fed and to receive services here."

They have worked hard to give homeless people material things to make their lives easier. In addition to giving them morning coffee and a full-course lunch every day, the shelter provides them with free medical care, a library and reading room, free locker storage, free kennel service and veterinary care for their dogs, free pet food, free ice, a bank of free telephones, whist and bridge tables, horseshoes, basketball, and soft drink machines. Members of the staff are careful not to judge or criticize the lifestyle of those being helped, whom they call "guests." Nowhere have they posted advice or exhortation to improve behavior. There are no mottos over doorways, no Bible verses on bulletin boards, no posters urging people to get off drugs.

Not surprisingly, all these benefits and facilities lead to increased demand, even in good economic times. Now feeding nearly 1,000 people a day, Loaves and Fishes is attempting its third expansion—and is being opposed by many local residents who fear the open-ended growth of homelessness that the shelter is encouraging.

Many 19th-century charities expected the needy to give something in return for aid.

Illustration by Archive Photos

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Many churches establish assistance programs like soup kitchens without exploring what anyone wants to achieve with this activity. Do volunteers want clients to depend permanently on the soup kitchen? Do they want recipients to get jobs? To learn good nutrition? To learn how to cook? To learn manners? To help run the kitchen? To experience spiritual growth? Until all these issues are carefully addressed, it is not possible to know how to operate a truly constructive program.

Several traditions underlie the failure to analyze the consequences of giving. For one thing, government welfare programs have given us a century-long example of thoughtless giving. Highly trained professional social workers have participated in and endorsed this vast system of handouts; who are we, say the ladies of the soup kitchen, to question the practice of blind giving, of giving without expecting anything in return?

Sometimes, misguided religious impulses are the culprit. Sharon M. Daly, the deputy director for social policy at Catholic Charities USA, declares that "the primary purpose of charity is not to reform the poor, but to bring us closer to God—to save our own souls." This view of giving is self-centered, downplaying the importance of finding out whether our gifts to the poor are really beneficent.

At my home church in Sandpoint, Idaho, I came upon a volunteer, a kind and worthy woman, distributing plastic bags to parishioners for a food drive. I asked her if she knew whether the food would actually help the people who would get it. She frankly confessed to having made no effort to find out who received the food, or why, or how it might affect their lives for good or ill. "That's not my job," she said. "All I know is I tried; my conscience is clear."

Religiously based self-sacrifice may be admirable, but it should not be carried on at the expense of the poor. If we say we care about the poor, then it is our duty to help *them.* We must shift attention from ourselves, as givers, to those we try to help.

Thinking About Giving

A suburban Washington church runs an assistance program for the homeless of the District of Columbia, giving them food, clothing, travel vouchers, and small amounts of cash. I asked one staff member, a social worker of wide experience with street people, what percentage of the clients of this program were either alcoholics or drug addicted. "Ninety-eight percent," she replied. She went on to explain how these clients were obviously in need of counseling, befriending, and inspiring—if anything at all could reach them—and that food and clothing were essentially irrelevant to their real needs.

Toward the end of the interview, an elderly middle-class volunteer came into the room bearing a carton of juice packets she was donating to the program. I asked her the same question about the percentage of clients who were drug- and alcohol-addicted. "Oh, I would say 10 percent," was her reply. Clearly, someone is seriously misinformed about the clientele being served by this program. Perhaps it is the volunteer, perhaps it is the social worker. The important point is that issues like this must be raised before any program can supply effective assistance.

Every social assistance program needs an analytical component. Staff, board members, volunteers, and donors need to gather frequently to analyze goals and methods. Groups should have a one-hour meeting at least once a month devoted exclusively to this function. Questions to be discussed at such meetings should include the following:

1. Who are our recipients and how should our program help them?
2. How do we know we are helping them?
3. In what way might our program be harming recipients (or others)?
4. How can we bring about more direct personal contact between helpers and helped?

2. *Real charity attaches expectations to assistance.*

Sympathetic giving is not the only approach to the problems of the needy. There is an alternative method: giving in exchange for some contribution or achievement of the recipient. This can be called "expectant giving," since the donor has something in mind that he expects from the recipient in return for the aid. The obvious example is work. When a beggar says he is hungry, the donor doesn't just give food; he asks for useful labor in exchange.

Expectant giving takes many forms, from simple exchanges of material things to subtle psychological transactions. For example, a healthy teacher-student relationship involves expectant giving: the teacher makes an effort to motivate and instruct the pupil, who is expected to work hard to master the material. The 19th-century charity leaders discovered expectant giving and made it the key to uplift. Homeless men who wanted shelter had to chop wood for several hours; unwed mothers in charity homes had to follow a strict regimen of training and domestic duties.

Modern charities are beginning to rediscover this principle. For example, many private programs that provide transitional housing for the homeless now require a self-help contract in which the client agrees to stay employed, save money, keep his quarters neat, and so on (see "One Nation Under God," page 16). Even government is attempting to embrace the exchange

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

idea by putting work requirements in a few of its benefits programs. (Unfortunately, these have a tendency to be watered down or ignored as the program matures.)

Giveaways, then, are never "the best we can do." Even with slender resources, it is possible to create constructive programs of expectant giving, programs about which staff members, volunteers, and donors will feel enthusiastic. The giveaway approach is a warning sign of a lack of imagination, or a burnt-out staff, or volunteers held at arm's length from the people they serve, or an agency comfortably dependent on government subsidies. They almost certainly signify that leaders are not holding monthly meetings about the purpose of the program and whether it is really helping its clients.

Those who defend programs based on sympathetic giving—governmental and private—often claim that the giveaway is "better than nothing." The point cannot be conceded. The general effect of sympathetic giving is to enhance the viability of a dysfunctional—and therefore suffering—lifestyle.

There are exceptions, but sympathetic giving is generally harmful to recipients. This is the general principle that all the 19th-century charity theorists divined. This old truth may disturb us, but the path to sound policy requires that we grasp it. The routinized, unconditional giving of material assistance to strangers has to be seen as a *vice*—yes, a destructive impulse—not a praiseworthy activity.

Unfortunately, handouts have become so widespread that we take them for granted. In giving out medical care, for example, government never asks for any contributions or repayment. Private charitable clinics show that it doesn't have to be this way. At the East Liberty Family Health Care Center, in Pittsburgh, Pennsylvania, the staff practices "fee counseling." The bookkeeper meets with the client, explains the full cost of the service, and points out that the client has a responsibility to repay as much as he is able, within his means, and a payment plan is worked out. No proof of income or assets is required. Clinic staff report an extremely high level of compliance with these voluntary payment plans.

The Lawndale Christian Health Center in Chicago charges a minimal fee of $8 per visit, with a sliding scale of payment based on family size and income. For clients with no money, says co-founder Wayne Gordon, "we have a long list of jobs that need to be done." This is healthier all around. "The truth is that most people want to work. They want to give something in return for what they have received."

Sometimes, a giveaway program may offer no useful way to implement this notion of exchange. That's a revealing piece of information. It suggests that given its resources, expertise, and clientele, the group is operating in unpromising territory. It should shift to a helping program where it *can* effect an exchange. For example, a group of middle-class women running a food bank for inner-city drug addicts may find that charging for the food, or requiring work in exchange, means that there will be no clients. The conclusion should not be that a giveaway is "the best we can do." It should be that "we're out of our depth." They should turn their energies to an activity better suited to their talents and resources—perhaps organizing a baby-sitting club for low-income mothers.

3. *Mentoring is the foundation of uplift.*

In a materialistic age, we assume that money can buy anything, including the uplift of the needy. After spending many trillions of dollars, we are beginning to sense the inadequacy of this assumption. Material support may have a role to play in certain types of assistance, but it is not an engine of uplift. For most people deemed needy, the main barrier to economic and social success is not a lack of dollar bills; it is a lack of healthy values and motives. We need to teach children—and adults—to work hard, to spend their money wisely, to be honest, to stay away from drugs and alcohol. We need, in short, mentors—individuals who befriend, guide, and inspire the needy.

Mentoring is a complex, subtle task involving many emotional and intellectual factors. Government welfare systems have ignored it because its emphasis on personal relationships clashes with the needs of bureaucracy, and because it doesn't have material inputs and outputs that social engineers can measure and manage. For the charity workers of the 19th century, however, mentoring—called "friendly visiting"—was the primary technique of social assistance.

The unconditional giving of routinized material aid to strangers must be seen as a destructive impulse.

Seeing that it was crucial to get mentors into regular, businesslike contact with their charges, British charity worker Octavia Hill set up a system of housing management in which middle-class ladies served as managers and rent collectors in low-income housing projects. She explained her theory of mentoring in an 1880 letter:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"From wealth, little can be hoped; from intercourse, everything. That is to say, everything we have to give seems to communicate itself to those we love and know; if we are true, we make them truthful, if faithful, full of faith, if earnest and energetic, earnest and energetic. . . . Human intercourse in God's own mercy seems appointed to be the influence strongest of all for molding character."

Modern-day Octavia Hills have come forth in recent years to apply this old idea of putting helpers and helped into personal contact. In 1976, Virgil Gulker developed a program in Holland, Michigan, to put individual church members in contact with people who needed their skills and support. Gulker devised the system after he discovered that church members were being cut off from the needy. In his book *Help Is Just Around the Corner,* Gulker explains the problem: "The usual arrangements for helping the needy remove opportunities from church members, reserving those opportunities for a corps of professionals. . . . Church members are deprived of their privilege, their birthright, to minister 'to the least of these.' "

Moreover, Gulker says, too many assistance efforts focused exclusively on meeting people's physical needs: "We made it virtually impossible for them to achieve any level of self-esteem, because the helping experience was not designed to give them the help they really needed to become self-sufficient." Gulker's system for involving people in a direct personal way with those who need assistance—called Love, Inc.—has since spread to 102 towns in 39 states.

4. *Helpers should feel proud of their clients.*

All too often, social assistance is seen as a "sacrificing" activity, something unpleasant done out of a sense of obligation. Duty has its place in charity, but mainly as a spark plug, a motive for getting involved initially. In the long run, it is not a healthy drive, and it will not lead to a successful social-assistance program.

Once again, Octavia Hill illustrates the ideal. As her writings make clear, she took enormous delight in her activities as a volunteer apartment manager, and had great pride in her tenants. If helpers don't feel rewarded and enthusiastic about their clients, it is a sign that these clients are simply not being uplifted.

One of the most common sources of discouragement among staff members and volunteers is their involvement in a program of sympathetic giving. Helpers sense that they are only treating symptoms and not providing lasting help. And since clients aren't being uplifted, helpers find little to admire about them.

This point comes out clearly in *Tell Them Who I Am,* Elliot Liebow's in-depth account of several homeless shelters in the Washington, D.C., area. These shelters were run on the giveaway principle, with no significant effort expected from clients. Liebow was distressed to discover that many volunteers and staff members privately resented those receiving assistance. He recounts an incident in which several men at a soup kitchen complained that their soup wasn't hot. When Liebow took the bowls back to the volunteer serving the soup, she refused to reheat it. He brought the matter to the attention of the assistant manager, and was also rebuffed. "I don't know what they're complaining about," the assistant manager said. "This ain't the Waldorf Astoria, and they're getting it for free."

For the charity workers of the 19th century, mentoring was the main technique of social assistance.

When a client at a women's shelter refused tuna casserole and asked for something different, a volunteer privately shared her frustration with Liebow: "Those seven people who were killed last week [the Challenger astronauts]—they gave so much to the world, and they died giving more. But these people, they give nothing. All they do is take and take and ask for more."

Although staff members and volunteers thought they were hiding their resentment, Liebow found that clients often sensed it, and, of course, were hurt. The overall result was tragically ironic. Volunteers and staffers wanted to help the homeless, but because their giveaway programs put clients in a bad light, the volunteers disparaged them and unintentionally impaired the clients' already fragile self-esteem. The situation resembles a family in which the parents don't demand that their children contribute to the household. The parents start to resent them for being lazy and selfish, which in turn makes the children insecure.

While visiting charities around the country, I have been struck by the correlation between the type of giving and the enthusiasm of workers and volunteers. In charities that run giveaway programs, participants tend to be weary and frustrated—and also rather secretive. They are often unwilling to talk about the program they serve. On the other hand, morale is high in programs that demand a great deal from clients. Staff members are so enthusiastic about such programs that they won't let an interview end.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

5. *Economic opportunity is the key to long-term independence.*

When charity reformers gather for their discussions of strategies and purposes, they should avoid focusing on the things needy people may lack. Their plan may involve material assistance, but the thrust of their efforts should be on creating opportunities that let people fill their own needs. "I believe we can solve the problem of homelessness," says John Woods, a former executive director of the Gospel Mission of Washington, D.C. "But we need to stop asking what we can do for the homeless. The success of a homeless program hinges on what it enables the homeless to accomplish on their own."

Nearly everyone agrees that the opportunities the poor need most are jobs—not government work programs, but meaningful, economically justified work. A job is the greatest anti-poverty device known, for it serves three uplifting functions all at once: It provides income, it builds self-esteem, and it cultivates constructive personal habits like behaving responsibly and getting along with others.

Suppose that we are members of a reform group that has recognized this vital point. We decide that we want to engage in a job-creation program. We begin to explore the kind of business our charity organization should start. A landscaping firm that will help beautify the town? A restaurant that will serve low-income customers? A day-care center? Members are assigned to research these possibilities.

At the next meeting, they return with a somber picture. Yes, the poor do need jobs in these kinds of businesses, and yes, the services they would provide the community would be valuable. But running a business is a difficult challenge. It takes someone enormously dedicated and persistent, willing to put in long hours, someone who knows the technology, the market, and the suppliers, someone who knows how to motivate and discipline a work force. Our charity organization, say the researchers, has no one with this kind of expertise and commitment. If we tried to run the business ourselves, it would probably crash, throwing all the workers we intended to help out on the street.

At this point, many civic groups would give up on this idea and look for an easier, less demanding way to help the poor. But in so doing they ignore an astonishing fact: Although volunteers at most charities are not job-creation specialists, millions of Americans are. They already run millions of small businesses, including landscaping firms, restaurants, and day-care centers. The solution is obvious: Instead of trying to reinvent the wheel, why not assist small businesses that already help the poor with both jobs and needed services?

What kind of services might be provided? Some answers come from organizations that have already gone into the business of helping business. In Milwaukee, the farsighted Community Baptist Church started a business development center in 1987 called the Community Enterprises of Greater Milwaukee. Its staff and volunteers help entrepreneurs develop their ideas, put them in contact with credit sources, and also lease space where start-up businesses can operate. Director Bill Lock reports that in the past eight years, the organization has helped 11 businesses, including a firm that provides elderly in-home support, a sheet metal company, and an electrical-products distribution company founded by a former welfare recipient.

Another way reformers can help small business is by providing loans. Ideally, the loans become a method of establishing personal relationships with owners, managers, and employees, so that charity workers can help businesses in many informal ways. They could be mentors, for example, encouraging wise business practices. They might also serve as peacemakers. Employer-employee relationships in small businesses are often stormy; mediators are needed to patch up disputes that hurt everyone.

Helping the poor in the 21st century will require us to profoundly rethink our theories of social assistance. For the past century, reformers have regarded business as the natural enemy of the poor, and government as their natural savior. We are now beginning to discern that both impulses were tragically misguided. Business is not the foe of the poor but the provider of the jobs, goods, and services they need to make their way up in the world. And government, with its indiscriminate dole and cynical regulations, is no ally of the poor. The next century of reform will turn the old models upside down, as reformers find ways to help business help the poor, and work to get government out of the way.

Government, with its indiscriminate dole and cynical regulations, is no ally of the poor.

***James L. Payne**, a 1996 Bradley Fellow at The Heritage Foundation, recently edited* The Befriending Leader: Social Assistance Without Dependency *(Lytton), a volume of writings by Octavia Hill, the 19th-century social worker. His book on the welfare system will be published next winter by Basic Books.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Take This Job And *Love It*

By Daniel Levine

They all started somewhere: *Today* show host Katie Couric, Dave Thomas of Wendy's, former U.N. ambassador Jeane Kirkpatrick.

Illustration by Darren Gygi

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Vital lessons from the lowliest of low-paying work.

For more than 30 years, the federal government has been trying to figure out ways to get people to work. It spends billions of taxpayer dollars each year on job-training and placement programs with questionable results.

For the past six years I have written a series of articles for *Reader's Digest* titled "My First Job," in which successful people discuss the value of their early work experiences. Their jobs were not part of government-sponsored training or placement programs; they were simply low-level jobs earned through diligent effort. And what they learned in these jobs goes a long way toward dispelling several liberal myths about the workplace in general and entry-level jobs in particular.

Myth #1: Low-paying jobs are a dead-end.

Roberto Suarez fled Cuba after Castro came to power and arrived in Miami with just $5 in his pocket and a small duffel bag of clothes. He doggedly pursued every job lead. When he heard about openings at "the Herald," he had no idea what it was, but he went there anyway and stood in line for hours, hoping to be called for temporary work. Eventually he was picked for a 10-hour night shift bundling newspapers. Leaving work at 5 A.M., he was told to come back in five hours if he wanted to work again. He returned every day; after three months he was given a regular five-day shift. Suarez went on to become president of the Miami Herald Publishing Co.

Nothing makes Herman Cain, the CEO of Godfather's Pizza, quite so angry as youngsters who refuse jobs or complain about them because they do not pay enough or because they consider the work beneath them. Cain held a number of early jobs including mowing lawns, washing dishes, and handling a jackhammer on a construction crew. He expresses a view shared by all those interviewed: "In every job I've held, I have learned something that helped me in my next job. If you look hard enough, you can learn from any job you do."

All their jobs were low-paying, but they were also among the most valuable and enriching experiences of their lives. These jobs were their introduction to the real world. They were exposed, often for the first time, to some of the basic requirements necessary to succeed, such as arriving on time, working with others, being polite, and dressing presentably. Their first jobs also helped them develop a strong work ethic and character.

The lessons that New Jersey developer and trucking magnate Arthur E. Imperatore learned while working in a candy store at age 10 made such an impression on him that he can recall them today—more than 60 years later. One day while sweeping the store, he found 15 cents under a table and gave it to the owner. Imperatore was shocked when the owner admitted placing the coins there to see if he could be trusted. Imperatore went on to work for him for several years and learned a lasting lesson: "I've never forgotten that honesty is what kept me in that job."

Oklahoma congressman J.C. Watts was a dishwasher in a diner when he discovered that his hard work and professionalism were not going unnoticed. A local clothing store extended him a line of credit because the owner had heard he was diligent and trustworthy. Watts was just 12.

When Norman Augustine, the CEO of Lockheed-Martin Corp., worked on a roofing crew as a young man, he was responsible for spreading tar out of barrels. He learned to appreciate his work according to his own private standard of value: "Since it took two hours to spread a barrel and I earned $1.69 an hour, that came out to about $3.38 a barrel. A ball game was a half-barrel event, a date was a two-barrel affair, and the prom was a six-barrel night."

Myth #2: Low-paying jobs destroy confidence.

Author and former presidential speechwriter Peggy Noonan said the first time she felt truly self-assured was when she worked as a 14-year-old summer-camp counselor. Says Noonan, "That first job showed me I could be responsible and more than the class clown."

Jeane Kirkpatrick, a former U.S. ambassador to the United Nations, worked as a small-town newspaper reporter in Mount Vernon, Illinois, when she was 15. She says the job taught her "to be on time and meet deadlines. In return, I was treated with respect. It gave me an overwhelming sense of pride and taught me the fundamentals of professionalism."

Gordon M. Bethune, the chairman and CEO of Continental Airlines, worked for his father's small crop-dusting business in Mississippi when he was 15. Bethune was responsible for loading chemicals onto planes and helping guide them in for landings. He always knew that without his help, the business would not have been able to function effectively. Bethune and the others interviewed agreed that the confidence gained from these first jobs made it possible for them to master jobs of greater responsibility later on.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Other first jobs were equally unglamorous: Actress Patricia Richardson, star of the ABC sitcom *Home Improvement*, scrubbed bathroom floors and toilets in a hotel. Telecommunications executive John J. Sie worked on the assembly line of a stapler factory. Ivan Seidenberg, the chairman and CEO of NYNEX, was a janitor.

Herman Cain expresses a sentiment shared by most of those interviewed: "My job was not glamorous or high-paying, but that didn't matter. It taught me that any job is a good job and that whatever I was paid was more than I had before."

Myth #3: Entry-level employees need the guidance only job-training programs can give.

A parent's advice, encouragement, and love help a child develop the confidence necessary to tackle a first job much more effectively than any government program.

Jack Faris, the president and CEO of the National Federation of Independent Business, recalls his parents teaching him when he was 13 to budget his earnings from his first job as a gas-station attendant. Ten percent of whatever he earned went into a mason jar that he took to church every Sunday. Twenty percent was set aside for room and board (but his parents actually saved it for his college education). Another 20 percent went toward his own savings, and he was free to spend the remaining 50 percent on whatever he pleased.

Elaine L. Chao, a former president of the United Way of America, remembers her father working three jobs and still making time to help her with homework in the evenings. When she took her first job, as a library assistant, she remembered the wise advice that motivated her to succeed. He once told her, "You have a responsibility to develop your God-given talents. America is a wonderful country where if you work hard, anything is possible."

Today show host Katie Couric worked as a counselor at a camp for blind children because her parents wanted her to learn the importance of helping those less fortunate.

Lt. General William G. Pagonis (Ret.), who directed the movement and supply of the allied troops during the Persian Gulf War, was six years old when he started shining shoes in his father's diner. By age 10, he was clearing tables and working as a janitor. One of his proudest moments came when his father told him he was the best "mop guy" he'd ever had. Says Pagonis, who now handles logistics for Sears, Roebuck and Co., "My father made it clear I had to meet certain standards. I had to be punctual, hard-working, and polite to the customers."

J.C. Watts recalls that his father, who worked three jobs, told his son at an early age, "If you understand sacrifice and commitment, there are not many things in life you can't have."

Myth #4: Employers look for ways to exploit their low-paid workers.

Wendy's founder R. David Thomas worked in a diner and says he will never forget the owners, Greek immigrant brothers named Frank and George Regas. Says Thomas, "They taught me the importance of being polite and of praising people for a job well done. From them I learned that if you work hard and apply yourself, you succeed. It's really not that complicated."

Thomas applied many of the lessons from that first job to the successful restaurant chain he founded years later. After taking a chance on hiring Thomas, who was just a young boy, the owners exposed him to real-world experiences that affected the course of his life. Thomas considered the Regas brothers his role models. They never asked him or any other employee to do a job that they would not do themselves. This made a deep impression on Thomas and motivated him to adopt similar principles.

"If you look hard enough," says Herman Cain of Godfather's Pizza, "you can learn from any job you do."

Those I interviewed said they still use the skills they learned in their first jobs and are forever grateful to the employers who hired them. Their employers made a point of watching and nurturing them while providing advice and personal guidance.

Country music star Shania Twain was 14 when she landed her first job at a McDonald's. The manager assigned her to work the cash register and provided encouragement when he noticed her strong work habits and polite manner. She was soon stationed at the drive-through window. Motivated by her manager's trust and encouragement, Twain strove to take on new responsibilities. She was eventually promoted to training new hires.

One of the best ways for young people to learn effective work habits is by watching employers practice them. This, combined with the practical experience of working, will enhance a young person's self-respect and teach important values. There is no more effective job-training program than experience and no better teacher than an employer who cares enough to help a young person develop a solid work ethic.

Daniel Levine *is a senior editor in the Washington bureau of* Reader's Digest.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE NATION'S LEADING MAGAZINE OF BLACK CONSERVATIVE OPINION...

Subscribe Now and SAVE!

ONE-YEAR SUBSCRIPTION

ONLY $29.95

Call 1-800-340-5454
To Subscribe

Headway

13555 Bammel N. Houston Rd., Suite 227 • Houston, TX 77066
281-444-4265 • Fax: 281-583-9534

Willie A. Richardson
Publisher

Gwen Daye Richardson
Editor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Town Square

NEWS FROM THE CITIZENSHIP MOVEMENT

Groups to Watch

Freedom Works Awards

On February 21, House Majority Leader Dick Armey inaugurated his "Freedom Works" Award, presenting the first one to Dallas Cowboy's running back Emmitt Smith. The award recognizes individuals who have made unique and meaningful contributions to their communities.

Smith was honored with the award for supplying more than 9,000 needy families with holiday meals. In addition to participating in the food drives of local churches, Smith has started a scholarship and mentor program that encourages underprivileged high-school students to graduate and attend college.

Armey gave a second award on March 20 to Joe Marshall, founder of the Omega Boys Club in San Francisco. Since its founding in 1987, the club has guided more than 600 teens out of gang warfare and drug dealing, and sent 140 of them to college—all without a penny of federal assistance. Democratic Representatives Ron Dellums and Nancy Pelosi joined Armey in saluting the Omega Boys Club and its four rules for life: There is nothing more important than an individual's life. A friend will never lead you to danger. Change begins with you. Respect comes from within. Armey says that he hopes his awards will serve as an inspiration for others to invest time and energy in their communities. "Government alone can't solve our nation's problems," says Armey. "That doesn't mean we simply throw up our hands in frustration. It means we must roll up our sleeves and do the work each of us is capable of doing to rebuild our neighborhoods and communities."

☛ *To suggest candidates for the Freedom Works Award, contact James R. Wilkinson, Office of the House Majority Leader—tel.: 202-225-4000.*

Community Renewal

On March 12, a bipartisan, bicameral group of congressmen and -women dubbed the "Renewal Alliance" unveiled the American Community Renewal Act, a bill designed to increase employment, strengthen families, and support faith-based programs in low-income areas. Senate sponsors Spencer Abraham and Joe Lieberman, and House sponsors J.C. Watts, Floyd Flake, and Jim Talent have based the bill on the institutions that have been most successful in building strong communities: churches, families, and private enterprises. According to a press release, the American Community Renewal Act represents a realization on the part of lawmakers that the solutions to our communities' problems lie in local charities and private philanthropy, not centralized government.

Majority Leader Dick Armey grants "Freedom Works" Awards

One section of the bill provides for the creation of up to 100 "renewal communities" across the nation. These areas will include those that are most afflicted by the problems of illegitimacy and family breakdown, drug- and gang-related violence, and unemployment. Recognizing the baneful effects of federal regulations on local philanthropic organizations, the Act provides tax relief and regulatory reform for these communities. Low-income parents will become eligible for federally funded scholarships that will allow them to send their children to the schools of their choice.

The bill also provides an incentive for citizens to become involved in philanthropy by providing a tax credit of 75 percent of any amount donated to a private charity. Individuals must volunteer at least 10 hours of work at a charitable organization to be eligible for the tax credit.

To fight the unemployment that plagues poor neighborhoods, the bill also provides tax relief to employers who hire welfare recipients and other "high-risk" citizens. Finally, the U.S. Department of Housing and Urban Development will transfer ownership of unoccupied housing to local jurisdictions. These houses will be sold to nonprofit corporations, which will offer the renovated living quarters to families at a low cost.

☛ *The American Community Renewal Act—Rep. Floyd Flake, 202-225-3461; Rep. James Talent, 202-225-2561; Rep J.C. Watts, 202-225-6165.*

The Chess Solution

A 10-year-old nonprofit in New York City promotes an unusual means of improving the academic attainment and life chances of at-risk children: after-school chess-playing. The group, Chess-in-the-Schools, draws its mission from Benjamin Franklin's observation that chess teaches logic and reasoning, improves memory and concentration, and develops critical thinking, patience and determination. It is also a relatively inexpensive extra-curricular activity.

Students at the participating schools receive instruction from a chess instructor one class period a week for either 15 or 30 weeks. According to the group, teachers who have taught students who enroll in the program report improvements in their students' classroom behavior, scholastic performance, attendance, and level of confidence.

Chess-in-the-Schools also commissioned a study in 1996 that showed the reading scores of chess participants improved significantly over the course of a school year compared with a control group that began the year at the same level.

Chess-in-the-Schools started in 1986 with a few volunteers in elementary and junior high schools in the poorest neighborhoods of Harlem, Bedford-Stuyvesant, and the South Bronx. Last year, the group taught chess to 12,000 students in 140 New York City schools; it also has affiliates in 18 other cities. It pays for its books, equipment, and salaries for 30 instructors and other staff entirely with private donations.

☛ *Chess-in-the-Schools—tel.: 212-757-0613; fax: 212-262-3127.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The American Compass

The American Compass, an organization founded last year to help garner attention and resources for small, faith-based charities, has made its first series of financial gifts to four organizations.

The gifts were part of a two-day tour sponsored by the American Compass with congressional members of the Renewal Alliance (see above) including Senators Rick Santorum, John Ashcroft, and Tim Hutchinson and Representatives J.C. Watts, Ron Packard, and Joe Pitts. A total of $40,000 was given to four separate groups: the Darrell Green Learning Center, an after-school program for at-risk youth in northeast D.C.; He Is Pleased, a Wilmington, Delaware, program that moves homeless persons from the streets to full-time employment; the St. Clare Medical Van, a mobile medical unit providing routine care for the poor in Wilmington; and Deliverance Evangelistic Church in Philadelphia.

This tour will be followed by four separate congressional tours in Texas; California; Michigan and Ohio; and Arkansas, Missouri, and Oklahoma. In addition, the American Compass will sponsor fundraising events for several groups this year, including two San Antonio-based groups, Teen Challenge and Victory Outreach.

☛ *The American Compass, David Kuo, director—tel.: 703-548-8143.*

Classical Accreditors

In the late 19th century, educators developed accrediting agencies to ensure quality among institutions of higher learning. At that time, the motivating factor was the fear that the federal government would standardize higher education. Today, the American Academy for Liberal Education (A.A.L.E.) serves as an accrediting agency for the same purpose—to guarantee that colleges and universities maintain high academic standards in the liberal arts and humanities. This time, however, the motivation was anxiety over the increasing politicization of college campuses at the expense of academic excellence.

The A.A.L.E. is a five-year-old national, nonprofit accrediting agency based in Washington, D.C., and recognized by the U.S. Department of Education. The A.A.L.E. was founded by a group of academics including Jacques Barzun, Gertrude Himmelfarb, and John Agresto, the president of St. John's College of Santa Fe. The primary concern of the AALE is the liberal-arts component of institutions of higher learning. In order to receive accreditation by the AALE, an institution must have mandatory courses in literature, science, and foreign languages, and a strong humanities program. The accreditation process typically takes about one year, and includes an on-site visit by a team of evaluators and a recommendation by the AALE's Council of Scholars. Already, more than 150 institutions have contemplated AALE membership. Colleges will have the option of using the AALE as its primary accreditor, or of holding membership by both the AALE and a regional accreditor.

☛ *American Academy for Liberal Education*—tel.: 202-452-8611.

American Civil Rights Institute

Last November, California voters passed Proposition 209, an initiative modeled after the 1964 Civil Rights Act that ended state discrimination and racial preferences in employment, education, and contracting. After a federal judge suspended the enactment of the law pending a review of its constitutionality, a group of citizens formed the American Civil Rights Institute (A.C.R.I.) to support the enactment of Proposition 209 in California and to "aggressively" pursue similar civil-rights measures across the nation. Says Ward Connerly, an African-American businessman who led the fight for Proposition 209 and now serves as chairman of the A.C.R.I., "Every citizen should have an equal chance at the starting line of life's race. But there should not be a guaranteed outcome in the race. If you discriminate for someone, you discriminate against someone else." Other founders of the organiza-

Achievement Against the Odds

On March 13, 1996, the National Center for Neighborhood Enterprise (N.C.N.E.) hosted its fourth Achievement Against the Odds Awards, honoring low-income people who have overcome adversity to improve their lives and their communities. N.C.N.E. is a nonprofit organization that provides training and assistance to grass-roots organizations serving low-income communities. It also promotes partnerships between businesses and community groups in low-income areas. The winners for 1997 are:

Peter Brawley (Chicago, Ill.) found refuge from the violence of Chicago's notorious Cabrini Green housing development in a tumbling troupe for at-risk youths. He is now the assistant coach for the troupe and provides counseling and mentoring for neighborhood kids.

Lucy Esquibel (Los Angeles, Calif.), a former gang member, works to improve public-housing developments in the Los Angeles area.

Pete L. Jackson (Washington, D.C.) turned his life around by joining the Alliance of Concerned Men, an organization that helps to keep young men away from violence and drugs. He is now the Deputy Warden of Programs for the D.C. Department of Corrections, and provides guidance for imprisoned fathers.

Omar Jahwar (Dallas, Texas) began a gang intervention program called "Our Vision/Regeneration," which has helped hundreds of at-risk youths through spiritual guidance and practical opportunities.

Jamie Kelly (Tampa, Fla.) was a mother at 14, and became addicted to cocaine. After spending time in jail, she returned to school, regained custody of her children, and now assists others seeking self-sufficiency.

Florence Ponziano (Austin, Texas) provides a home for poor children and teen mothers. Besides offering food and shelter, she teaches responsibility and the need for children to aid their communities.

Frankie and Velma Tyson (Minneapolis, Minn.) have transformed their neighborhood from a drug- and crime-ridden area into a safe and thriving community. They provide counseling for substance abusers and run a drill team for under-privileged children.

For more information, contact N.C.N.E.: Tel.: 202-331-1103; fax: 202-296-1541.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Recent Stories in Policy Review

March/April 1997

Robert Rector explains how Wisconsin has cut its welfare rolls in half • **William Craig Rice** on the arts without the NEA • How parents' guides help make TV safer for family viewing • **Howard Husock** on the government roadblock to affordable housing • A distinguished panel reviews the Reagan legacy • **Raymond J. Keating** describes the baseball stadium scam.

January/February 1997

24 conservative leaders on the future of government • **Edwin Meese III** and **Rhett DeHart** describe how federal judges undermine democracy • **Gov. John Engler** explains why conservatives are winning control of the states • How private charities are finding homes that government agencies miss • **Stephen Glass** on a bank that helps small businesses without the SBA.

November/December 1996

Nina Shokraii on the school choice movement for African-Americans • **Dan Lungren** on the effects of the "three strike" rule on California's crime rate • How Indianapolis is winning the war against teen pregnancy • **Adam Meyerson** on the cultural contradictions of Clintonism • **Rep. George Radanovich** on the lessons learned by the freshmen of the 104th Congress.

September/October 1996

Steven G. Calabresi on the unpopular left-wing policies of the Clinton judges • A symposium discusses how the government can help to save the American family • **Rep. Rob Portman** explains why our government is losing the war on drugs • **Sheila A. Moloney** on how federal regulations destroy opportunities for women who own businesses • A profile of "the poor man's J.P. Morgan."

To order reprints, contact Leslie Gardner at Policy Review*: Tel.: 202-608-6161; fax: 202-608-6136; e-mail: polrev@heritage.org*

tion include Thomas L. Rhodes, the president of *National Review*, and Clint Bolick, the director for litigation for the Institute for Justice.

The A.C.R.I., which is financed by individuals and private foundations, will aid state movements to put equal-protection initiatives on the ballot or pressuring legislatures to pass laws ending affirmative action. About a dozen states, including Colorado, Oregon, Florida, and Washington, have indicated that they may need the A.C.R.I.'s assistance with civil-rights legislation.

☛ *American Civil Rights Institute—tel.: 916-444-2278, fax: 916-444-2279.*

Sensible Philanthropy

Declining public trust in "big government" institutions, has paralleled a growing confidence in private, philanthropic efforts. In fact, says the Philanthropy Roundtable, the realm of private philanthropy is poised to become the most dynamic and fastest growing sector of domestic life in America.

The Philanthropy Roundtable, which recently moved to Washington, D.C., from Indianapolis under new leadership, is founded on the principle that philanthropy is most likely to succeed when it focuses on individual achievement, and where it rewards not dependence, but personal initiative, self-reliance and private enterprise. The Roundtable's publications, conferences and consulting services assist the philanthropists who are shaping America's institutions as well as reaching out to those preparing to enter the world of philanthropy.

The Roundtable also helps grantmakers from the trustees and staff of large foundations to individual donors—obtain information on all sides of the issues facing American philanthropy.

☛ *The Philanthropy Roundtable—tel.: 202-822-8333; fax: 202-822-8325.*

What Works

Successful Job Training

In 1995, the federal government appropriated more than $20 billion in 163 different job-training programs, nearly all of them failures. By contrast, Harlem-based Strive is a successful job program that refuses to accept government money. Funded entirely by foundations, it targets ex-offenders, former drug abusers and the homeless. Its success rate is excellent. After two years, 80 percent of Strive trainees are still working.

What distinguishes Strive from other programs is that instead of focusing on "hard skills" like computer literacy or word processing, Strive emphasizes "soft skills": initiative, punctuality, and an understanding of the alien culture of the mainstream work world. Above all, Strive seeks to break down their clients' "attitude"—a quasi-defensive, quasi-aggressive posture that rejects such essential workplace traits as diligence and helpfulness. Strive believes this attitude condemns their trainees to a life of poverty.

The confrontational techniques Strive employs to change attitudes often seem insensitive and even brutal, but they work. By insisting on clear, tough, impersonal standards, Strive gets its trainees to think of themselves as mature adults rather than damaged victims, and this psychological change, it turns out, works wonders.

☛ *"At Last, A Job Program That Works" by Kay S. Hymowitz,* City Journal*, Winter 1997.*

Integration in the Military

Although the U.S. Army is rarely thought of as an engine of social change, racial integration and black achievement have in fact progressed much further there than in any other American institution. Indeed, the Army is the only place in America where blacks routinely boss whites around. The contrast between the Army—where whites and blacks inhabit the same barracks, eat in the same facilities and work together without animosity—and the university campus, where racial self-segregation is the norm, is especially striking.

From 1991 to 1995, sociologists Charles C. Moskos of Northwestern University and John Sibley Butler of the University of Texas investigated the state of Army race relations through extensive surveys of active-duty soldiers. They sought to discover whether the Army's success in achieving racial integration and interracial comity contains lessons applicable to America's civilian sector.

The main lesson the Army teaches us, Moskos and Butler conclude, is that race relations can be positively transformed by an absolute commitment to non-discrimination, coupled with un-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

compromising performance standards. But high standards can only be maintained by offering opportunities—through education, training and mentoring—to otherwise disadvantaged individuals. The authors call this approach a "soft" affirmative-action program, which they favorably contrast to the quota-driven programs adopted by other American institutions.

☞ All That We Can Be: Black Leadership and Racial Integration in the Army *by Charles C. Moskos and John Sibley Butler (Twentieth Century Fund/Basic Books).*

Cautionary Tales

Misguided Mainline Churches

According to Amy L. Sherman, the director of urban ministry at Trinity Presbyterian Church in Charlottesville, Virginia, mainline churches that denounce congressional welfare reform as "appalling" and "brutal," and lobby to maintain the welfare status quo, are doing the poor a grave disservice. "Is it really 'destructive' and 'morally reprehensible' for the government to withhold cash payments to drug addicts," she asks, "or to require single women to help establish the paternity of their children, or to insist that teenage moms stay in school?"

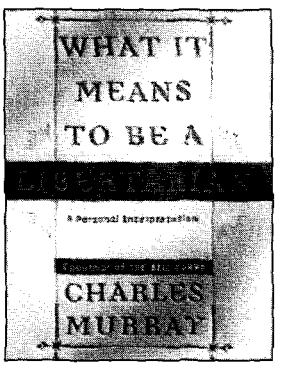
These congressional requirements, Sherman points out, are the very measures that innovative, faith-based groups working at the grassroots have employed in their own outreach efforts. Lawndale Community Church, for example, which works in inner-city Chicago, asks able-bodied people to work for a short period in exchange for emergency cash assistance or groceries. At STEP 13, a faith-based outreach program in Denver, workers offer tough love, but never money, to drug-abusers and alcoholics. And religious groups working with at-risk teenagers in Washington and Phoenix preach sexual abstinence and staying in school.

Effective faith-based anti-poverty groups typically offer help that is personal (rather than bureaucratic) challenging (making demands as well as dispensing help) and spiritual (addressing religious as well as material needs.) For example, in Richmond, Virginia, social-service officials and church pastors in the impoverished East End have formed a partnership called the Spiritual Family Development Program that provides families of juvenile offenders with church-based counseling. In Mississippi, churches are "adopting" families on welfare and helping them find jobs. And in Michigan, churches are establishing "compassion circles" of lay persons to provide practical help and emotional support to welfare recipients. Sherman concludes that religious leaders should "exert themselves in mobilizing their own congregations to sacrificial service on behalf of the have-nots."

☞ *"Get With the Program," by Amy L. Sherman,* American Enterprise, *Jan.–Feb. 1997.*

What We Don't Know . . .

Since the publication of "A Nation At Risk: The Imperative of Educational Reform" in 1983, improving America's schools has become a leading national priority. Despite a great deal of activity, however, there has been astonishingly little improvement. According to educational theorist E.D. Hirsch Jr., who pioneered the concept of "cultural literacy," this is because most educational reformers are themselves working under a false set of assumptions about the nature of education. Developed at Columbia University's Teachers College in the 1920s, these wrong-headed ideas disparage traditional approaches to education, in favor of a more natural, "holistic" approach based on projects and hands-on experience.



Unfortunately, he argues, what children actually bring away from such a naturalistic approach to learning tends to be highly variable and uncertain. He calls for a return to the traditional approach, with its emphasis on high standards, book learning, and hard work. To be effective, a K-12 school system must carefully define the knowledge and skills required of students at each grade level, and must administer fair and incorruptible tests of student achievement. Unless the educational establishment adopts this traditional approach, and abandons such progressive innovations as individual pacing, discovery learning, thematic teaching, and nonobjective testing, America will remain a nation at risk.

☞ The Schools We Need and Why We Don't Have Them *by E.D. Hirsch Jr. (Doubleday).*

Thoughts on Civil Society

A Libertarian in Civil Society

Freedom's primary justification, argues Charles Murray, is to enable individuals to exercise personal responsibility for the choices they make. Such responsibility is essential if people are to live satisfying, meaningful lives.

Unfortunately, the most serious effect of government's metastasizing role over the past thirty years has been to deprive individuals of responsibility for much of what happens in their communities. In turning over to bureaucrats a large proportion of the responsibility for feeding the hungry, caring for the elderly and nurturing the young, we have inadvertently "stripped daily life of much of the stuff of life." As a result, our lives have grown morally impoverished.

Murray embraces the libertarian ideal of a return to limited government. He would get rid of Social Security and Medicare, end the regulation of products and services, and place strict constitutional limits on government. He contends that government intervention in complex social processes has caused "incalculable human suffering."

Radically reducing the government's power to a few core functions will help to end that suffering, while simultaneously reinvigorating our civil society. "America under a restored limited government," he writes, "will. . .be a society with far greater texture, far less anomie and alienation than now."

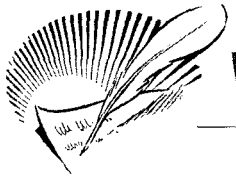
☞ What It Means to Be a Libertarian *by Charles Murray (Broadway Books).*

Submissions Welcome

Policy Review welcomes suggestions for publications, events, and news for inclusion in Town Square. Contact:

D.W. Miller, Town Square editor
Policy Review
214 Massachusetts Ave., N.E.
Washington, D.C. 20002
Tel: 202-546-4400; fax: 202-608-6136; e-mail: millerd@heritage.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



We Hold These Truths

Impeaching Abusive Judges

Federal judges are about as popular today as auditors from the Internal Revenue Service. And for good reason.

In case after case, federal judges are expressing contempt for democracy, overturning laws passed by state legislatures or adopted directly by the people through the initiative process. In recent years, federal judges have blocked the implementation of two California ballot initiatives, one that denies government services to illegal immigrants

Why bother voting when the judiciary can knock down laws like so many bowling pins?

and one that bans racial and ethnic preferences. In Washington state and New York, federal judges have overturned state laws banning physician-assisted suicide. And the Supreme Court overturned a Colorado initiative to deny giving special legal preferences to homosexuals.

The American people are asking themselves, why bother voting when the judiciary can knock down laws like so many bowling pins?

Term Limits?

In conservative circles, exploring ways to curb the activism of some of our federal judges has also become a hot topic. One suggestion that seems to be gaining currency is limiting the terms of federal judges, who now enjoy lifetime appointments. In fact, the 1996 presidential campaign of Bob Dole, of which I was a part, seriously considered making term limits the centerpiece of its critique of the federal judiciary and President Clinton's judicial appointments. After all, poll after poll show that term limits for judges are enormously popular with the American people. The Dole campaign ultimately rejected the idea. And so, too, should those interested in curbing the excesses of judicial power.

For starters, imposing term limits on judges would be difficult. Article III, section 1 of the Constitution states that federal judges are to hold their offices "during good Behaviour." Changing this provision would require a constitutional amendment. In recent years, Congress has proposed dozens of constitutional amendments on everything from balancing the federal budget and campaign spending limits to flag desecration and voluntary school prayer.

Unlike many of these proposed constitutional amendments, which are mainly designed to overturn specific decisions by the Supreme Court, an amendment to impose term limits on federal judges would alter the fundamental structure of our system of government. Anticipating that the judiciary would be the weakest of the three branches, the Framers explicitly granted federal judges lifetime tenure so that they would be able to protect the Constitution against "legislative encroachments."

As Alexander Hamilton explains in Federalist No. 78, "nothing will contribute so much as [lifetime tenure] to that independent spirit in the judges which must be essential to the faithful performance of so arduous a duty." Is it smart to monkey with the fundamental mechanics of our constitutional structure? Do we really want to second-guess the Framers?

Perhaps as important, term limits would not drain the batteries of activist judges. Imagine a 10-year limit. During this period, what would stop a federal judge from micromanaging a state prison system, raising property taxes to finance the overhaul of a school system, or striking down a ballot initiative passed by a popular majority? A term limit might prompt activist judges to rush to make their mark on history.

Some argue that term limits should be linked to reappointment: When a federal judge's term expires, he or she would be eligible for reconfirmation by the U.S. Senate. But what would this accomplish? Anxious about reappointment, judges might tack their decisions to the prevailing political winds as the expiration of their terms grew near. Would judges resort to lobbying the Senate for reappointment? What kind of deals would be made? And what about a conservative judge, properly committed to the principle of judicial restraint, who must face reappointment by a hostile Senate controlled by liberals?

For Shame!

Finding the right balance between judicial independence and judicial accountability is difficult. But there is a way. It's called shame.

Shame is one of the most underutilized checks on a runaway judiciary. Remember Harold Baer, the federal district court judge in New York, who suppressed more than $4 million worth of drugs seized as evidence by the New York City police? Baer claimed that the police lacked a "reasonable suspicion" that a crime was occurring, even though they observed four men at 5 A.M., in an area notorious for drug-dealing, load bags into the trunk of a car without speaking to its driver, and then run away after noticing the cops. According to Baer, it was perfectly normal for them to flee from the police since "residents in this neighborhood tended to regard police officers as corrupt, abusive, and violent."

The foolishness of this ruling transformed Baer into the poster child for an out-of-control and out-of-touch federal judiciary. After being publicly denounced by both President Clinton

by Dennis Shea

Dennis Shea, a contributor to MSNBC, was formerly deputy chief of staff to Senator Robert Dole.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and Senator Dole, the judge hastily reversed himself.

Even the Supreme Court has recognized that "[t]he operation of the courts and the judicial conduct of judges are matters of utmost public concern." When a federal judge issues a "prison cap" order, resulting in the early release of hundreds of violent criminals, that's a matter of real public concern that should concern politicians too. The same can be said when a federal judge strikes down a popularly enacted ballot initiative using half-baked constitutional analysis. Elected officials at all levels of government have an obligation to speak out when a judge crosses the line. Can you imagine Abraham Lincoln not commenting on the infamous *Dred Scott* decision?

Too often today lower federal court decisions are issued without much public notice. They are tucked away in court reports, inaccessible to the public. And don't expect the liberal and often lazy mainstream press to bring these decisions to light. That's why the House and Senate Judiciary Committees should cull through recent federal court decisions and publicize those that fall within the "shameful" category. Perhaps the two Judiciary Committees should establish special subcommittees for this purpose.

The congressional leadership should also consider passing, on a routine basis, nonbinding resolutions expressing disapproval of those decisions that show a clear disregard for established law. The purpose of these resolutions would not be to change the outcome of any particular case, but to serve as a warning to renegade federal judges that the people's elected representatives are monitoring their conduct in office.

What about Impeachment?

In those extraordinary cases where a federal judge has clearly, deliberately and consistently exceeded his authority, there is also another option. Let's take our cue again from Alexander Hamilton, this time in Federalist No. 81. In it, Hamilton woefully underestimates the mischief judges might cause in the future: "Particular misconstructions and contraventions of the will of the legislature may now and then happen; but they can never be so extensive as to amount to an inconvenience, or in any sensible degree affect the order of the political system." But then he redeems himself by suggesting an antidote to those rare occasions of chronic judicial arrogance: impeachment. As he explains, "There never can be danger that the judges, by a series of deliberate usurpations on the authority of the legislature, would hazard the united resentment of the body entrusted with it, while this body was possessed of the means of punishing their presumption by degrading them from their stations."

In other words, Hamilton and the Framers envisioned that any judge who consistently and deliberately exceeded his judicial authority would be given a pink slip. The impeachment process should be regarded as the ultimate check on a rogue judiciary.

Representative Tom DeLay of Texas performed a public service recently by suggesting that renegade federal judges could be removed from office through the impeachment process. Not surprisingly, this suggestion has met with fierce criticism. Even some of DeLay's Republican colleagues have dismissed the impeachment remedy out of hand.

The impeachment process is the ultimate check on a rogue judiciary.

Not so fast. Congress should first sort out and evaluate the competing arguments over impeachment. Article II, section 4, of the Constitution provides that "[t]he President, Vice President and *all civil officers of the United States*, shall be removed from Office on Impeachment for, and conviction of, Treason, Bribery, or *other high Crimes and Misdemeanors*." (Italics added.)

Some observers have cited the "high Crimes and Misdemeanors" phrase to argue that only an indictable criminal act, not a ruling in a contested case, can be grounds for impeaching a federal judge. This view, however, is not universally shared. In 1833 the famed Justice Joseph Story explained in his *Commentaries on the Constitution* that "misdemeanor" refers to forms of misbehavior well beyond indictable criminal acts. According to Story, the impeachment power applies to "what are aptly termed, political offenses, growing out of personal misconduct, or gross neglect, or usurpation, or habitual disregard of the public interests." More recently, law professor Raoul Berger points out that "impeachment itself was conceived because the objects of impeachment for one reason or another were beyond the reach of ordinary criminal redress."

Yes, the most recent examples of judicial impeachments have all involved indictable criminal behavior on the part of the impeached judge. But in 1803, one of the impeachable offenses cited against Judge John Pickering was his failure to adhere to the requirements of an act of Congress, hardly a criminal act.

And none of the articles on which the House of Representatives impeached Judge Robert Archbald in 1912 amounted to an indictable offense. In fact, the congressman managing the Archbald case insisted that a judge could be impeached for "the entering and enforcement of orders beyond his jurisdiction"—in other words, an abuse of power. Isn't an abuse of power a form of "misbehavior"?

Ultimately, it's up to the Congress to determine the proper grounds under the Constitution for impeaching a federal judge. The Supreme Court ruled just four years ago that matters governing impeachment are left to Congress and that the courts are powerless to review impeachment decisions (*Nixon v. United States*, 1993). Writing for the majority, Chief Justice William Rehnquist reasoned: "[j]udicial review [of impeachments] would be inconsistent with the Framers' insistence that our system be one of checks and balances. In our constitutional system, impeachment was designed to be the only check on the judicial branch by the Legislature."

As the 105th Congress looks at ways to curb the "imperial judiciary," it should consider breathing new life into its own impeachment authority. A very careful and highly selective use of this authority would send a powerful message to the federal bench that its renegade days are over. Sure, it would be highly controversial for the House of Representatives to initiate impeachment proceedings against a federal judge for noncriminal acts. But who says that controversy is incompatible with good sense?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Profiles in Citizenship

Miss Americanizer

by John J. Miller

John J. Miller is the vice president of the Center for Equal Opportunity. His book on Americanization will be published by the Free Press early next year.

The United States today has more foreign-born residents than ever before. While some Americans worry about our country's ability to absorb all these newcomers, others recall that previous waves of immigrants have successfully assimilated. Such assimilation, however, is never inevitable. It depends upon not only the willingness of the newcomers to adapt, but also our willingness to teach them English, encourage them to become citizens, and inspire them to embrace the American way of life. The massive effort in the early 20th century to bring this about was known as the Americanization Movement, and many of its greatest accomplishments were due to a social reformer named Frances A. Kellor.

Kellor was born in Columbus, Ohio, in 1873. Her father abandoned the family when she was a teenager, forcing her mother to move to Michigan to find work as a laundress. Frances toiled beside her while attending high school, but dropped out to become a newspaper reporter. Her Presbyterian pastor eventually sparked her lifelong interest in social issues and prompted her to resume her academic studies. She earned a law degree from Cornell University in 1897 and enrolled as a graduate student in sociology at the University of Chicago.

Frances Kellor sought the assimilation of immigrants

In Chicago, Kellor lived in Hull House, Jane Addams's famous settlement house. There she learned first hand about the countless problems facing immigrants: getting jobs, holding families together, and surmounting linguistic and cultural obstacles to such seemingly simple tasks as buying food and finding a home. So she was a natural choice in 1908 to serve on New York's State Commission of Immigration. After spending months investigating immigrant living conditions, she focused public attention on overcrowded housing and unsanitary labor camps.

Kellor's work prompted the state to establish a Bureau of Industries and Immigration, which she headed. It advised recent arrivals and tried to prevent their exploitation. Its work also led to increased regulation of immigrant banking houses and steamship companies, which were notorious for taking advantage of bewildered newcomers. According to the historian John Higham, Kellor may have been the first woman ever to direct a state agency.

With immigrants arriving in record numbers, Kellor worried that a revival of nativism in the United States would shatter fragile ethnic relations. She believed that rapid assimilation of immigrants could both improve their living conditions and defuse nativist attitudes. She often said that immigrants could make enormous contributions to America, if only the nation could figure out how to harness their talents. "From the moment [the immigrant] arrives in America he needs the creative aggressive attention of American institutions," wrote Kellor in 1916.

Business leaders agreed with her, partly out of economic self-interest, but also out of a genuine public spirit. With their backing, she helped create a network of private organizations, such as the North American Civic League for Immigrants, that set out to help immigrants assimilate. She considered one of her most important tasks to be the development of English classes for adults, and helped set them up around the country. "The English language is a highway of loyalty," she wrote in 1919, "it is the open door to opportunity; it is a means of common defense." Kellor also published pamphlets in foreign languages to protect immigrants from exploitation and to advise them about jobs, housing, and transportation.

With the outbreak of World War I, Kellor began to fear that the unassimilated segments of America's large foreign-born population might threaten national security. One out of every three immigrants had been a subject of the Central Powers fighting the Allies, and many Americans worried about divided loyalties. So she shifted her efforts away from everyday problems and toward the advocacy of naturalization, citizenship, and national unity. On July 4, 1915, about 150 cities across the country took part in a National Americanization Day promoted and coordinated by Kellor. In Pittsburgh, an audience of 10,000 immigrants listened to 1,000 children sing patriotic songs and form a giant American flag. In Indianapolis, recently naturalized citizens gave speeches in 11 languages on the duties of citizenship.

President Woodrow Wilson even traveled to Philadelphia to deliver remarks at a swearing-in ceremony. "You cannot dedicate yourself to America unless you become in every respect and with every purpose of your will thorough Americans," he said. "You cannot become thorough Americans if you think of yourselves in groups." In the wake of these events, dozens of communities around the country established classes in English and citizenship to help immigrants assimilate.

Kellor's brand of liberal nationalism lost ground in the 1920s, when the country decided to slam shut the door it had held open for so long. Immigration levels dropped to historic lows in the 1930s. This disappointed Kellor, who moved on to become an expert in international arbitration, and served in public life until her death in 1952. Today, she is best remembered for her most enduring achievement: helping millions of foreign nationals become patriotic Americans.

Photo courtesy of the International Arbitration Association

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FREE — From *The Washington Times*
4 FREE Issues of our National Weekly Edition!

Fed up with how the liberal media reports on issues important to you? From the network newscasts to the major dailies, it's always the same— a liberal "spin," "slant," or "spike" in everything they report. Now you have a choice: The National Weekly Edition of *The Washington Times*!

Special 1996 Election Issue
The Washington Times
NATIONAL WEEKLY EDITION
They're back – and maybe to face the music
Hillary sought to hire Huang over Brown's objections
Top Clinton aides lead the charge to exit administration
Clinton scores with women's vote
Reports of bizarre sex rituals stun Episcopal church
Special Election Report / 10 - 23
State-by-state results / 18 - 23
Thank you, David, and good night / 41
The madness of Mao Tse-tung / 42

Try it FREE!

No Risk . . . No Cost . . . No Obligation!

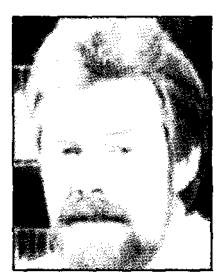
Here's all we ask, Give *The Washington Times* the old **"Kitchen Table Test."** Simply spread out any one of the four FREE issues you receive on your kitchen table and do a side-by-side comparison. **Decide for yourself!** You'll immediately see the striking difference between our National Weekly Edition and the newspaper you're now reading. *The Washington Times* is committed to arming you with the facts you'll need to track the next Congress!

Send for your 4 FREE ISSUES of the National Weekly Edition:
Do the "Kitchen Table Test" with *The Washington Times* — FREE!

"The Washington Times is the definitive journal of the New American Revolution."
– Tom Clancy

"Even the mavens of the establishment media admit: The Washington Times gets the story first."
– Rep. Dick Armey

"If it weren't for the yeoman-like work of the Washington Times, Americans might still be believing the daily lies and distortions from the major electronic and print media."
–Dr. Walter Williams



"The Washington Times breaks the stories the liberal media refuse to touch."
– L. Brent Bozell

"The Washington Times is the first paper I reach for in the morning. . . essential reading for anyone who cares about what goes on in the world today."
– Arianna Huffington

"Living in San Francisco, I find the National Edition of the Washington Times an indispensable weekly summary of what's going on in the nation's capital."
– William A. Rusher

CALL 1-800-363-9118. Please Mention Express Code: "UHJOSV"

Call today and order 4 weeks of The Washington Times National Edition free of charge! If you like it, you'll receive 48 more issues, for a total of 52, and pay only $59.95. If you decide not to subscribe, simply write "cancel" on your invoice and owe nothing at all. The 4 sample copies will be yours to keep!

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

For over half a century, HUMAN EVENTS has been the conscience of the conservative movement, and the antidote to liberal media bias. Isn't it time you tried us?

Human Events
The National Conservative Weekly
The Vice-Presidential Felon
Senate Should Call For New Race in Louisiana

Believe it or not, *Human Events* was first published in 1944 — more than a decade before *any* other conservative publication.

Since then, we've not only defended conservative principles, but *defined* them for the rest of the movement. We've also been the leader in exposing liberal media bias — and *countering* it with tough investigative reporting and sharp conservative commentary.

No wonder even top conservative leaders rely on *Human Events* to stay informed.

For instance? How about **Pat Buchanan**, who said, "I would not be without a subscription." Or **Jack Kemp**: "I can testify from personal experience on my reliance on *Human Events* over many years." Or **Jesse Helms**: "I could not do without *Human Events*." Or **William Rusher**: "Indispensable." *The Wall Street Journal* even called us the "bible of the Right."

The best bargain in conservative publishing today

Only *Human Events* offers you *all* of the following:

- **Timely news, every week** — not just once or twice a month like most conservative publications.
- **The inside story on Washington politics**— reporting from our headquarters right here on Capitol Hill
- **Reliable analysis and forecasts by seasoned political pros** — Alone among national publications, we predicted the Republicans' 1994 sweep of both the House and Senate. Enough said?
- **Frequent exposés and urgent Special Reports** — whether it's the latest unreported Clinton scandal ... or our annual reports on how much big corporations donate to the radical left ... or our special issues timed to coincide with major events like the Conventions.
- **Exclusive excerpts from the latest conservative bestsellers** — like the #1 New York Times bestseller, *Unlimited Access: An FBI Agent Inside the Clinton White House* — which our readers enjoyed during its very first week of publication.
- **Revealing full-length interviews with conservative leaders** such as Pat Buchanan, Jack Kemp, Phil Gramm, Steve Forbes.
- **The best columns by nearly two dozen conservative commentators** — among them Cal Thomas, Thomas Sowell and Phyllis Schlafly.

With the Clinton liberals emboldened by the election results, our rights and freedoms are more threatened than ever before. Only *Human Events* can keep you up-to-date and in the know on the huge political struggles to come — with fresh, weekly news and commentary from a rock-solid conservative perspective.

With your trial subscription you'll get a full year (48 weekly issues) of *Human Events* for the special low price of just $49.95. That's a savings of $40 off regular rates Also, by ordering from our toll-free number, 1-800-787-7557, you'll be eligible for FREE bonus gifts with your trial subscription.

Subscribe today by calling 1-800-787-7557 (and ask for your FREE bonus gift)

HEPOLR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED